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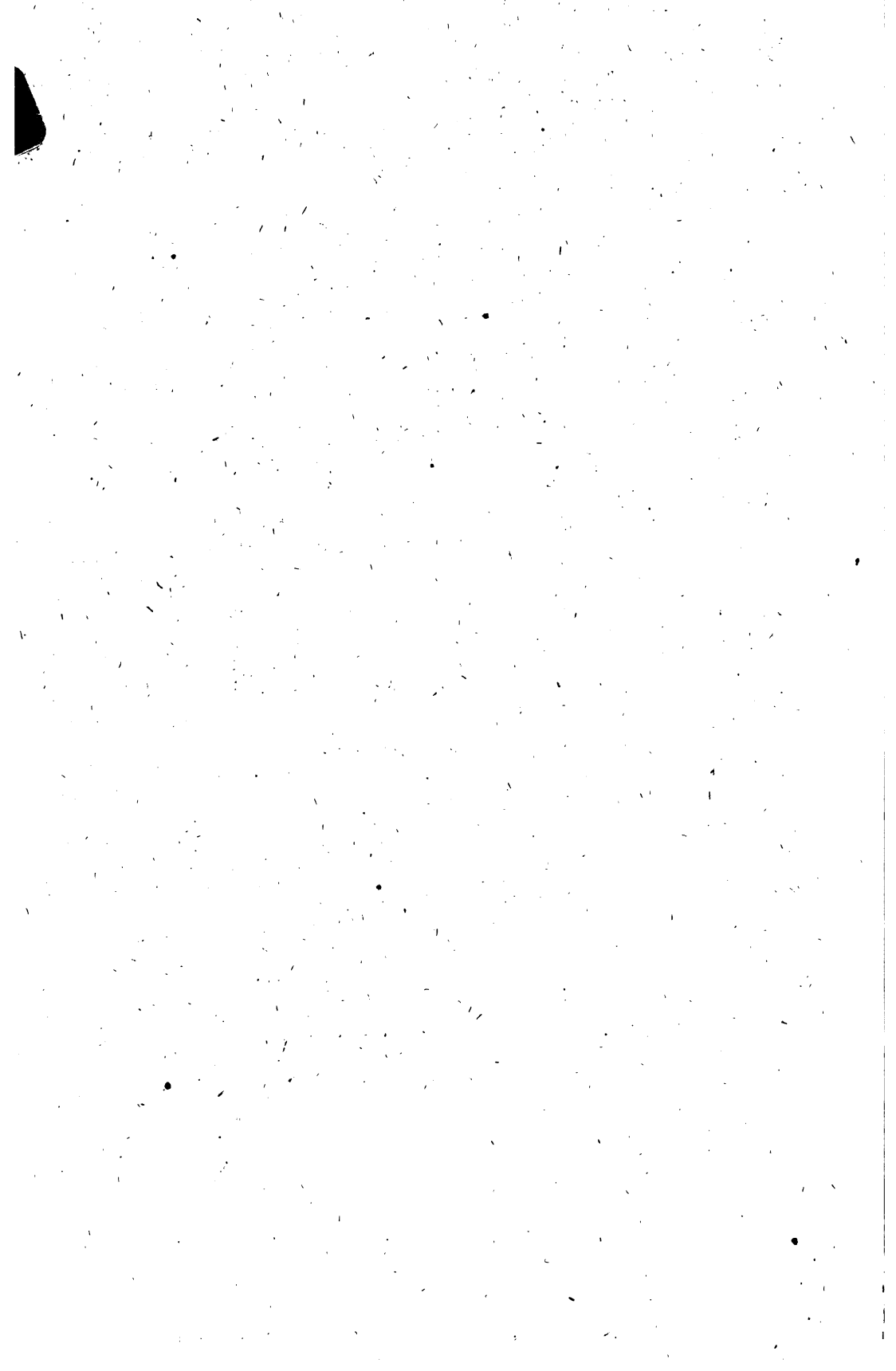
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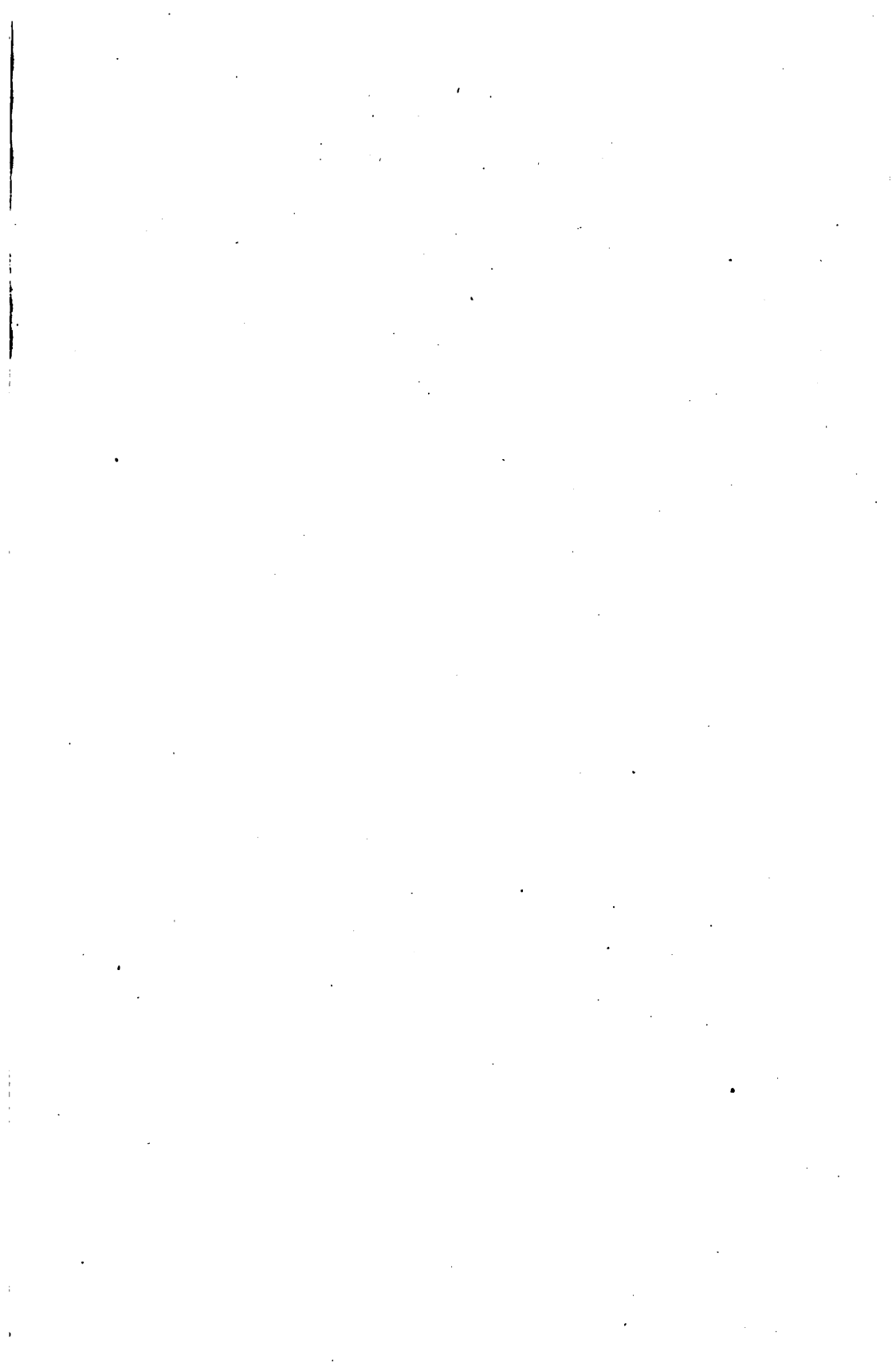
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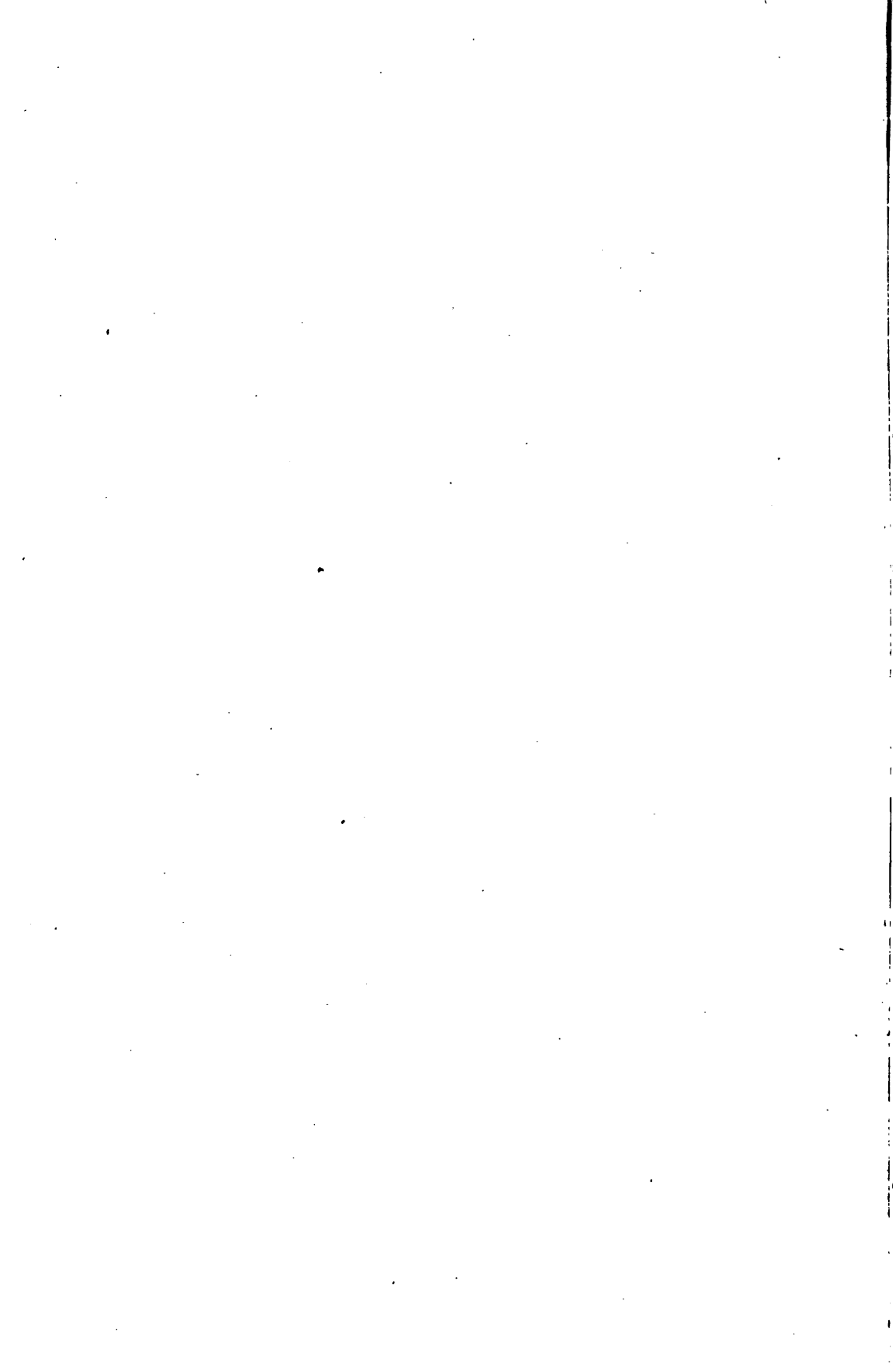
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, 1888







THE  
SCHEME

OF SEPARATION BETWEEN

46821

ST. LOUIS CITY AND COUNTY

AND THE

CHARTER

OF THE

CITY OF ST. LOUIS, *Charters.*

WITH ALL AMENDMENTS AND MODIFICATIONS

TO AUGUST 1, 1888.

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COMPILED BY LEVERETT BELL, CITY COUNSELLOR, PURSUANT  
TO ORDINANCE 14,508, AND PUBLISHED BY AUTHORITY  
OF THE CITY OF ST. LOUIS.

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ST. LOUIS, MO.:

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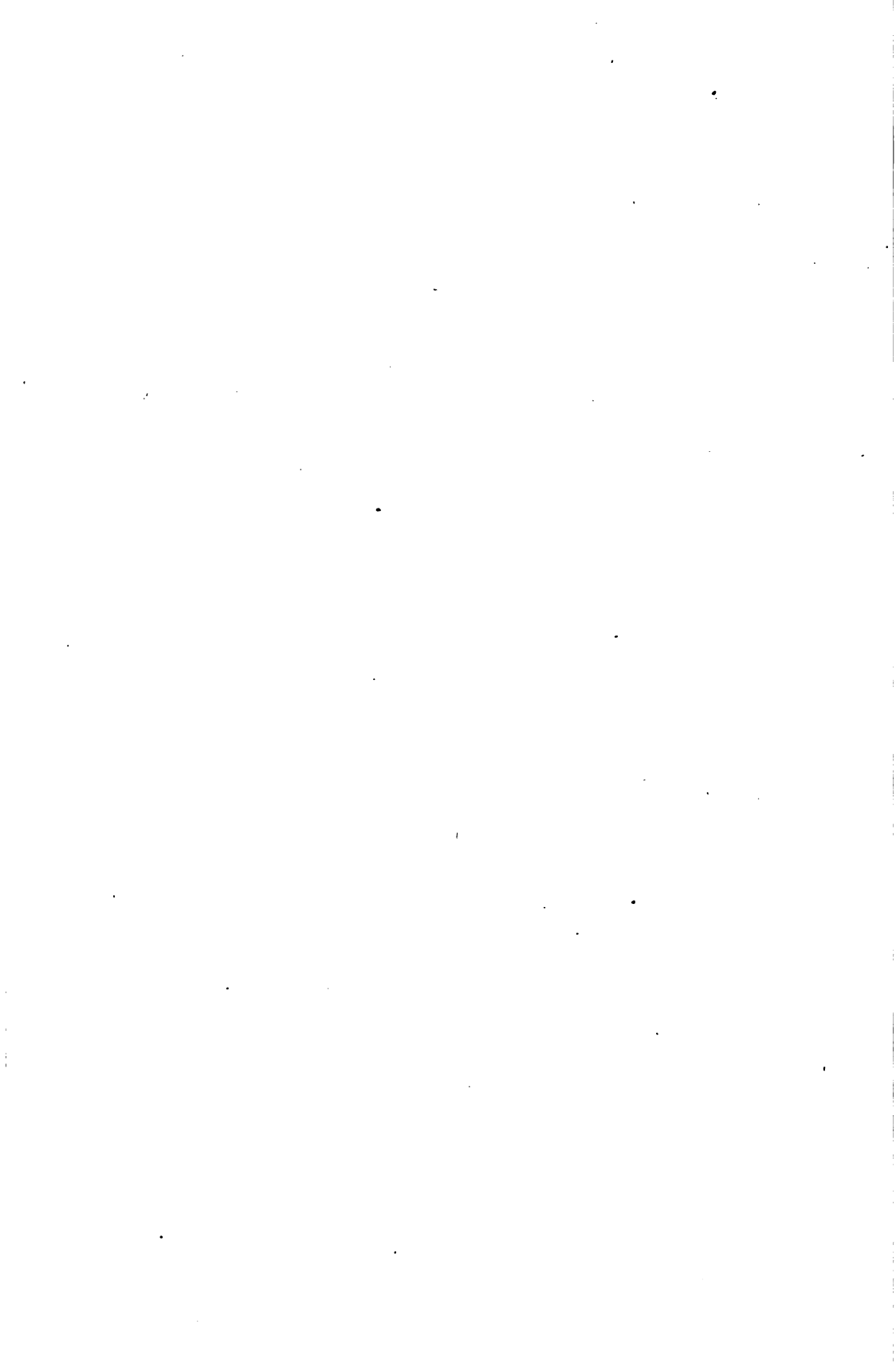
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Review.



# SCHEME

FOR THE

## SEPARATION AND RE-ORGANIZATION

OF THE GOVERNMENTS OF THE

## CITY AND COUNTY OF ST. LOUIS

AND THE ADJUSTMENT OF THEIR RELATIONS.

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The following Scheme for the separation of the governments of St. Louis City and County, the definition of the boundaries of said city as enlarged, the reorganization of the government of said county, and the adjustment of the relations between said city and county so that they shall hereafter be independent of each other, is hereby adopted as the organic law thereof:

SECTION 1. The boundaries of the City of St. Louis are hereby enlarged, settled and established as follows:

The corporate limits of the City of St. Louis shall comprise all that district of country situated in the County of St. Louis and State of Missouri, to-wit: Beginning at a point in the middle of the main channel of the Mississippi river, and running thence westwardly at right angles to said channel, to a point on the west bank of said river 200 feet south of the centre of the mouth of the River des Peres; thence westwardly and parallel to the centre of the River des Peres, and 200 feet south thereof, to the eastern line of the Lemay

Ferry road; thence westwardly to a point in the west line of said Lemay Ferry road at its intersection with the centre of the Weber road; thence westwardly along the centre of the Weber road to its intersection of the east line of lot (1) one of the Carondelet Commons, south of the River des Peres; thence westwardly to the southeast corner of Rudolph Overman's, or northeast corner of B. H. Haar's land; thence westwardly to said Haar's northwest corner; thence northwestwardly to a point in the centre of the Gravois road (600) six hundred feet southwardly from the centre of the bridge across the River des Peres; thence northwestwardly to the southeast corner of lot (31) thirty-one of the subdivision of the Mackenzie tract in United States Survey one thousand nine hundred and fifty-three (1,953); thence northwestwardly in continuance of said last mentioned line to the southern line of lot twenty-one (21) of the subdivision of the said Mackenzie tract; thence northwestwardly to a point in the southern line of United States Survey 2,035, twenty-six (26) chains eastward from the southwest corner of said survey; thence northwardly to a point in the north line of the subdivision of East Laclede, six hundred (600) feet west of the McCausland road; thence northwardly and parallel with the centre of the McCausland road, to a point on the Clayton road (600) six hundred feet west of its intersection with the McCausland road; thence northwardly and parallel with the Skinker road, and (600) six hundred feet west thereof, to its intersection with the old Bonhomme road; thence northeastwardly to the intersection of the centre lines of McLaren avenue and Mead street; thence in a northeastwardly direction to a point in the Bellefontaine road (600) six hundred feet north of its intersection with the Columbia Bottom road; thence northwardly and parallel with centre line of the Columbia Bottom road to the northern boundary line of United States Survey number (114) one hundred and fourteen; thence eastwardly along said line to the centre of the main channel of the Mississippi river; thence with the meanderings of said channel southwardly to the point of beginning; and the residue of what now constitutes the County of St. Louis shall hereafter be called St. Louis County.

SEC. 2. The City of St. Louis, as described in the preceding section, and the residue of St Louis County, as said county is now constituted by law, are hereby declared to be distinct and separate municipalities, and all authority heretofore exercised by the County Court of St. Louis County, or any officer of said county, is hereby forever abrogated and annulled, except for the purposes and in the cases as hereinafter provided.

SEC. 3. At the general election for State and other officers, on the Tuesday next following the first Monday in November, 1876, and every two years thereafter, there shall be elected officers for St. Louis county, as follows: A Sheriff, who shall be *ex-officio* Collector, Coroner, Assessor, Treasurer; a Clerk of the County Court, who shall be *ex-officio* Recorder of Deeds; they shall hold their offices for the term of two years, and shall perform such duties as are now provided by law for such officers, until their successors are duly elected and qualified; also, a Public Administrator, who shall be elected at said election, and every four years thereafter, and shall hold his office for four years, and perform the duties now prescribed by law. There shall also be elected at said election three Justices of the County Court, who shall constitute the County Court of said county, and their powers, duties and terms of office shall be as defined and governed by the general law at present applying to other counties in this State. And for that purpose the County of St. Louis, as established by this Scheme, shall be divided into two districts by a line commencing at a point where the Clayton road intersects the boundary between the City and County of St. Louis, as established by this Scheme and Charter, and running thence westwardly with the Clayton road to the eastern boundary of Bonhomme township, as now established; thence north with the eastern boundary of said township to the Missouri river. So much of said county as lies north and east of said line shall constitute district number one, and so much of said county as lies south and west of said line shall constitute number two. One Justice of the County Court shall be elected by the qualified voters of each of said districts, and the Presiding

Justice of said County Court shall be elected at large by the qualified voters of said county. Said county shall be divided and numbered in the same manner into two Representative Districts, and until otherwise districted by law, one Representative in the General Assembly of the State shall be elected by the qualified voters of each of said districts. Immediately succeeding the election in November, 1876, and when the result thereof is officially determined as hereinafter provided, the Justices of the County Court shall meet at James C. Sutton's house, on the Manchester road, for the purpose of organizing the new government of the county, determining the bonds of the county officers, and making such appointments as may be authorized by law. Said Court may determine at what place in said county said Court shall meet and the county offices be located until the question of a permanent seat of justice may be determined. And for that purpose the following persons shall be and they are hereby appointed Commissioners, to-wit: Robert G. Coleman, Wm. W. Henderson and Thomas J. Sappington, who shall, after the Scheme goes into effect, select a suitable place for the county seat of said county, and report such selection to the County Court of said county, when it shall be the duty of said Court to submit to the qualified voters of said county, at a special election to be ordered by said Court, within six months from the filing of said report, the question as to whether the place so selected shall be the place for the permanent seat of justice of said county; and if a majority of the qualified voters of said county, voting at said election, shall be in favor of said location, then the same shall be and remain the seat of justice or county seat of such county; but if a majority of the qualified voters, voting at such election, shall be against such location, then the permanent seat of justice shall be established in the manner as at present provided by law in regard to new counties. There shall be elected at said election such justices of the peace and constables for the county as said county may be entitled to under existing laws, who shall hold their offices according to the general provisions of law applying to other counties in this State.



SEC. 4. The present County Court of St. Louis County shall order and make all necessary arrangements for the general State election in November next, and shall order at the same time the election of the Justices and officers for St. Louis County, as specified in the preceding section, and the members of the present County Court thereof shall continue in authority and in the discharge of their present duties, except as herein otherwise provided, until the new County Government is organized, and the proper county officers, as provided herein, are commissioned and qualified, and thereupon their terms of office and that of Clerk of said Court shall cease, and the offices of Justices of the County Court and Clerk of the said County Court, as now established, shall be forever abolished: *Provided*, That nothing in this section shall relieve said Court and its officers and employees from full responsibility for the management and custody of all interests and property of the County of St. Louis, as constituted previous to the adoption of this Scheme, until a formal transfer of the same to the proper authority, as herein provided, has been effected.

SEC. 5. It shall be the duty of the Mayor of the City of St. Louis to order an election on the same day as the general election in November, 1876, and every two years thereafter, for a Sheriff for the City of St. Louis, and Coroner for said city, who shall be elected by the qualified voters of said city, and shall hold their offices for two years and until their successors are duly elected and qualified, and they shall be commissioned by the Mayor. A Public Administrator for said city shall also be elected at the general election aforesaid, and every four years thereafter, whose term of office shall be four years, and whose duties shall be as provided by law. The official bond of said officers shall be fixed and determined by the Municipal Assembly, in conformity with the constitution and laws; and pending such action the Sheriff, Coroner and Public Administrator shall give bond in such amounts as now required of like officers for the present County of St. Louis, with not less than two securities, owners of unincumbered real estate in the City of St. Louis, to be approved by the Mayor; and said bonds, when so ap-

proved, shall be filed with the Register; and said officers shall respectively perform within the city limits such duties as are now provided by law in regard to the Sheriff, Coroner and Public Administrator of St. Louis County, and shall receive the same compensation allowed said officers of St. Louis County prior to the adoption of this Scheme, until otherwise provided by law. The Coroner shall discharge the duties of Sheriff in all cases in which Coroners are authorized to discharge those duties by law.

SEC. 6. The Marshal of the City of St. Louis, in addition to his other duties, shall assume and discharge all the duties heretofore discharged by the Marshal of St. Louis County, within the limits of the City of St. Louis; and the present County Marshal shall deliver to said City Marshal all books, documents and property of every kind in his possession by virtue of said office, except such property as may properly belong to the reorganized County Government, which shall be delivered to the Sheriff of St. Louis County, elected in November, 1876.

SEC. 7. The Sheriff of St. Louis County, elected as provided in section 3, shall be *ex-officio* Collector of the revenue of said county; and the Clerk of said County Court shall be *ex-officio* Recorder of Deeds for said county; and the present Recorder of Deeds for St. Louis County shall hereafter be known as Recorder of Deeds, and shall hold his office for his term as now prescribed by law, and until his successor shall be elected and qualified; and at the general election in November, 1878, and every four years thereafter, a City Recorder shall be elected by the qualified voters of the City of St. Louis.

SEC. 8. The office of the President of the Board of Assessors is hereby declared a city office, and is placed under the control of the city government, but the President of said Board shall cause the books and plats of said office to be divided, and such portions thereof as exclusively refer to St. Louis County shall be delivered to the proper officer for the use of said county; but if this cannot be done, or can be done only in part, then abstracts shall be made thereof and the cost of same paid out of the City Treasury. The present

State and County Collector shall continue in office until the expiration of his official term, and thereafter his duties shall be discharged by the City Collector, and upon this Scheme going into operation the said State and County Collector shall pay over all collections for city and county taxes levied for general purposes, and for licenses collected within the city limits, as herein extended, and all county taxes for interest and parks, to the Treasurer of the city of St. Louis; and all collections for county and school taxes on property and licenses, except all county taxes for interest and parks, in St. Louis County, he shall pay to the present County Treasurer, until the Treasurer of said county is elected, as provided for in section 3; and when that officer has duly qualified, the present County Treasurer shall pay over to him all such collections for the use of said county, and from and after the time the County Treasurer of St. Louis County, as constituted by this Scheme, is elected and qualified, and during the continuance in office of said County Collector, he shall in like manner pay over all revenue collections, above mentioned, to the City and County Treasurers respectively. At the close of his term of office he shall effect a settlement with the city and county authorities, and shall account for all tax-bills placed in his possession, and shall turn over all uncollected bills in his possession, as follows: To the Comptroller all tax-bills on property within the city limits as herein established, and to the Clerk of the St. Louis County Court all tax-bills on property outside of city limits. The office of County Auditor, as it at present exists, is abolished, but that officer shall continue in office, and be responsible on his bond until all books, documents, moneys, and other property in his hands, or under his charge by virtue of his office, have been properly accounted for and turned over to the parties authorized by law to receive them. The assessment of property for the taxes of the year 1877 in the city as constituted by this Scheme, shall be made by the President of the Board of Assessors of the present County of St. Louis, in the manner provided by law; said President shall keep a separate set of books for the property in the city as now constituted, and for that in the enlarged limits of the

city. As soon as the assessment books for the city and for the enlarged limits shall have been completed and corrected as required by law, they shall be turned over by said President with the other books and plats of his office to the proper officer of said city. After the assessment books have been corrected, the President of Assessors shall make out a fair copy of the same and shall make an abstract of said books, showing the amounts of the several kinds of property taxed, specifying: First, the amount of all property within the old limits of the City of St. Louis, second, the amount of value of all property within the new, or extended limits, and outside the old limits, and add thereto his certificate that the same contains a true and correct list of all taxable property in the City of St. Louis, so far as he has been able to ascertain the same. Said abstract shall be verified by oath and delivered to the Mayor of St. Louis on or before the fourth Monday of June, 1877. As soon as the Assessor of St. Louis County shall be elected and qualified, the President of the Board of Assessors shall deliver to the said Assessor the books, plats, and all papers appertaining to the property of said county, as herein provided, and it shall be the duty of the Assessor of said county to assess the property of said county in the same manner as now provided by law for other counties of this State.

SEC. 9. It shall be the duty of the present County Court of St. Louis County to see that all buildings, moneys, and other property belonging to the county, which are placed under the control of the city under this Scheme, shall be formally and properly transferred. Said Court shall cause all records, books, papers, etc., now in the office of said Court to be turned over to the Register, who shall duly schedule same, and report the same for inspection of the Mayor. All employees and officers now in the service of the county in connection with public institutions or otherwise, under appointment of said Court, and within the limits of the City of St. Louis as herein established, shall continue in the discharge of their duties under the present rules and regulations until notified to the contrary by the Mayor of the city, who shall have authority to retain or for unfit-

ness discharge such as he may deem necessary and to fill any vacancies that may occur, until the Municipal Assembly can provide by ordinance for the government of such institutions and regulations of such service.

SEC. 10. All the public buildings, institutions, public parks, and property of every character and description heretofore owned and controlled by the County of St. Louis, within the limits as extended, including the Court-house, the County Jail, the Insane Asylum and the Poor-house, are hereby transferred and made over to the City of St. Louis, and all the right, title and interest of the County of St. Louis in said property, and in all public roads and highways within the enlarged limits, is hereby vested in the City of St. Louis, and divested out of the County; and in consideration of the city becoming the proprietor of all the county buildings and property within its enlarged limits, the city hereby assumes the whole of the existing county debt and the entire park tax; and the Municipal Assembly shall, as soon as practicable after the adoption of this Scheme and Charter, provide by ordinance for the management of the property and public institutions hereby placed under its charge.

SEC. 11. The Municipal Assembly shall from time to time make provision by ordinance for the payment of the county debt, and interest thereon, as the same matures, and in all respects said debt shall be considered a city debt, and shall be transferred to the books of the city, and embraced in all official statements of its funded liabilities.

SEC. 12. Until provision is made by ordinance for carrying out the provisions of the preceding sections, and until the officers provided for under the Charter framed and adopted by this Board are elected and qualified, and after this Scheme and the Charter framed hereunder go into operation, the present city officers shall qualify under such Charter, and perform all the duties and exercise the powers of their office under such Charter, except as otherwise provided in this Scheme and Charter, and under the ordinances of the city not inconsistent therewith, within the enlarged city limits. For the purpose of electing a Municipal Assembly under such Charter, an election for members of the Municipi-

pal Assembly shall be held at the same time as the general State election to be held in November, 1876, and the term of office of the members of said Assembly shall continue for the same time and on the same condition as if the same commenced after the city election in April, 1877, as provided for in such Charter: *Provided*, That in case of a vacancy in the office of the Mayor, the present Comptroller of the city shall be ~~authorized~~ to act and shall act as such Mayor until such vacancies shall be filled as provided in the Charter framed under this Scheme; *and provided further*, That all city offices, except the Municipal Assembly and such offices whose incumbents are specifically continued in office till the expiration of their term by this Scheme and Charter, and all appointive offices of the city or of any of its departments, shall be vacant from and after the city election provided for in the Charter, to be held in April, 1877, and shall be filled by the officers then elected, and by appointments by the Mayor and officers then elected, as in such Charter prescribed.

SEC. 13. A Board of Finance is hereby created, to consist of the Mayor and Comptroller of the City of St. Louis and the Justices of the County Court from the Fifth and Sixth Districts of St. Louis County, whose duty it shall be, immediately after this Scheme goes into operation, to examine and verify the county indebtedness, as the same existed at the time this Scheme went into operation, on the books of the county, as to bonds and all other claims, and to ascertain and declare the amount necessary for the payment of the current expenses of the county to such time, and to ascertain the balance of cash, after deducting the amount necessary for the payment of such current expenses, in the hands of the County Treasurer and the source whence derived. And all collections made on account of taxes for interest and the parks, and that portion of said balance which was collected for general purposes within the extended city limits, shall be paid into the City Treasury; and that portion which was collected for general purposes within the County of St. Louis, as constituted by this Scheme, shall be paid into the treasury of said county; and the same course shall be pursued with reference to all moneys

coming into the hands of the present County Treasurer after this Scheme shall go into operation. The term of the present County Treasurer shall cease when the Treasurer for the County of St. Louis, as herein constituted, shall have been elected and qualified. The County Auditor shall properly account for all school moneys for which he is in any way responsible to the proper authorities, and all tax collections for School purposes, made either by the City or County of St. Louis for the present or any other year, shall be applied only to the support of public schools. All debts and obligations due or payable, or belonging to the present County of St. Louis, shall be considered due and payable to the City of St. Louis; and the right to sue for and to adjust and collect same, or any part thereof, shall be vested in said city. The amount above ascertained for the payment of current expenses shall be paid in the manner provided by law out of the sum above reserved for such purpose.

SEC. 14. The Metropolitan Police force of the city of St. Louis, as now established by law, shall be maintained at the cost of the City of St. Louis: *Provided, however,* That the Metropolitan Police of the City of St. Louis shall have the same power and jurisdiction in the County of St. Louis, as constituted by this Scheme, as now provided by law: *Provided,* That upon a petition of the County Court of St. Louis County the Board of Police Commissioners shall appoint and equip not more than twenty policeman, as provided in the act approved March 13, 1867, for duty in said county. The cost of equipping and maintaining said police shall be paid by the county as herein established.

SEC. 15. Until otherwise provided by law, all the present Justices of the Peace and Constables shall hold their offices until the expiration of their present terms, and only such Justices and Constables shall be elected in November, 1876, as may be necessary to fill vacancies. All commissions of Justices of the Peace and Constables elected in the City of St. Louis shall be issued by the Mayor, and a record thereof kept by the City Register. All bonds of Constables, and of all Notaries Public appointed, shall be approved by the

Mayor, and a record of the same shall be kept in said Register's office.

SEC. 16. The Mayor of the City of St. Louis, with the approval of the Council, may appoint any number of competent persons, being civil engineers, as City Surveyors, whose duties and powers shall be as now provided by law in regard to County Surveyors; but all applicants shall produce satisfactory testimonials of good character and competency, and when appointed shall give bond in the sum now required by law from surveyors in St. Louis County, and the County Court of St. Louis may appoint County Surveyors under the same restrictions. The present County Surveyors, commissioned by the County Court under an act entitled "An act to amend chapter 27 of the General Statutes of Missouri relating to County Surveyors," approved March 25, 1872, may continue in authority and in discharge of their present duties in the City and County of St. Louis until the expiration of the commissions held by them respectively, and the said City Surveyors shall have power to execute in the County of St. Louis all orders of the Circuit Court of the Eighth Judicial Circuit, as they were authorized to do before this Scheme went into operation.

SEC. 17. All Notaries Public now commissioned by the Governor for St. Louis County shall exercise the official powers and duties of such office within the City and County of St. Louis, as constituted by this Scheme, and the City Register shall keep a complete record of all Notaries acting within the City of St. Louis, and of their bonds and the dates of their commissions, and of the expiration thereof.

SEC. 18. The Sheriff of the City of St. Louis shall, within the limits of said city, exercise the authority now vested by law in the Sheriff of the County of St. Louis, and after this Scheme shall go into operation, all writs and other process which are now by law provided to be executed by the Sheriff of the County of St. Louis, within the city limits, shall be directed to and executed by the Sheriff of the City of St. Louis. The City Marshal, after this Scheme goes into operation, in addition to the duties now required by law to be performed by him, shall, within the city limits, exercise



the same power and perform the same duties as are now provided by law in regard to the County Marshal. And the Sheriff of St. Louis County shall execute all process directed or delivered to him by any court of record of the County of St. Louis, as are now established by law.

SEC. 19. The Judges of the Election for State and other officers to be held in November, 1876, and for officers of the city and county as provided in this Scheme, shall be appointed as now provided by law, and the same Judges shall act in the election for city and county officers at such November election, 1876, and the returns shall be made to the clerk of the present County Court, who shall officially certify to the result; and in the event of any neglect or failure on the part of said County Court, or any officer of the city or county, to order and arrange for the election herein provided, the St. Louis Court of Appeals, or any Judge thereof, may cause the same to be done, and may in such event appoint Judges and take all other steps necessary to insure the holding of said election in the manner contemplated herein.

SEC. 20. It shall be the duty of all existing officers of St. Louis City and County to assist in carrying out the provisions of this Scheme, so far as any official act is necessary for that purpose; and in all cases in which said officers are continued in office under this Scheme, their duties and compensation shall be the same as are now provided by law.

SEC. 21. The City of St. Louis may purchase, take and hold real estate in the County of St. Louis for the use of the city.

SEC. 22. Until otherwise provided by law, the salaries of all the Judges of courts now paid out of the County Treasury, and of all judicial officers not affected by the operation of this Scheme, shall be paid proportionately by the City and County of St. Louis, according to the aggregate of taxable values in each; and to carry out this section the Municipal Assembly shall annually provide for paying such expenses, and it shall be the duty of the County Court of said county, and a binding obligation thereon, to pay into the City Treasury annually an amount equal to the propor-

tion of the expenses herein indicated; and the officers of said city may make any temporary arrangement necessary to carry out the provisions of this section, until the Municipal Assembly can regulate the subject by ordinance.

SEC. 23. Immediately after this Scheme goes into operation, the present State and County Collector of Revenue shall turn over to the President of the Board of Assessors all the tax-bills then in his hands that apply to lots or parcels of land which shall have become intersected by the new city limits. line, for which bills the said President shall return him a detailed receipt, to be held by him (the Collector) as his sufficient voucher, against the corresponding tax amounts for which he may stand charged; and the said President shall proceed at once to make, in lieu of the bills received, new bills, whereon the amounts of taxes shall be separated in the proportion of quality and value of land, or land and improvements, respectively lying within and without the newly established city limits, to the end that the taxes distributable to the county and those distributable to the city shall all be represented by separate bills. The new bills thus ordered when completed by the said President, shall be by him delivered to the Comptroller to be examined and stamped, and they shall next, with the least practicable delay, be returned by the Comptroller to the Collector for collection. The old tax bills herein above named shall likewise be by the President surrendered to the Comptroller, who shall cancel them.

SEC. -24. The Municipal Assembly shall have power within the city of St. Louis to do all acts and perform all functions not otherwise provided for in this Charter and not inconsistent with its terms, which have heretofore been done and performed by the County Court of the County of St. Louis.

SEC. 25. Until the County of St. Louis, as organized by this Scheme, shall otherwise provide, the County Court thereof shall be authorized to send the paupers of said county to the Poor-house, or County Farm, now in use, and the insane paupers of said county to the Insane Asylum now in use, and for the maintenance of such paupers shall pay to

the Treasurer of the city the cost of maintaining paupers in those institutions, to be ascertained by the annual reports of the same.

SEC. 26. The Circuit Attorney and Assistant Circuit Attorney for the Eighth Judicial Circuit, the Prosecuting Attorney, the Assistant Prosecuting Attorney, and the Clerk of the St. Louis Court of Criminal Correction, and the Clerk of the St. Louis Criminal Court, shall continue to hold their offices and discharge the duties thereof, as now provided by law, until the expiration of their respective terms of office, and until their successors are duly elected and qualified.

SEC. 27. After this Scheme goes into operation, and until otherwise provided by law, the Grand Jury of the Eighth Judicial Circuit shall be selected by the Judge of the St. Louis Criminal Court from the City and County of St. Louis, and shall be summoned by the Marshal of the City of St. Louis.

SEC. 28. All members of Grand Juries selected from the City of St. Louis shall be paid out of the City Treasury, and those from the County of St. Louis shall be paid out of the County Treasury. All payments shall be upon certificates of the Clerk of the St. Louis Criminal Court.

SEC. 29. In the criminal cases occurring in the City of St. Louis, in which, by the law in force prior to this Scheme going into operation, the County of St. Louis was liable to pay costs, such costs shall, after that time, be paid out of the City Treasury, and in like cases occurring in the County of St. Louis, shall be paid out of the Treasury of the County of St. Louis.

SEC. 30. Petit jurors to serve in the Circuit Court of the Eighth Judicial Circuit, in the St. Louis Criminal Court and in the St. Louis Court of Criminal Correction, shall, until otherwise provided, be selected and summoned as now provided by law, except that jurors for the said Circuit Court shall be summoned by the Sheriff of the City of St. Louis, and jurors to serve in the said other two courts shall be summoned by the Marshal of the City of St. Louis. And the act to provide a jury system in St. Louis County, approved

March 3d, 1857, and the acts amendatory thereof, shall remain in force until altered or repealed, and the present Jury Commissioner of St. Louis County shall remain in office until the expiration of his official term, and perform all the duties now required of him by law.

SEC. 31. For all services of petit jurors rendered in the Circuit Court of the Eighth Judicial Circuit, they shall be paid out of the City Treasury, and for all such services rendered by citizens of St. Louis, in the St. Louis Criminal Court and the St. Louis Court of Criminal Correction, they shall be paid out of the City Treasury, and for all such services rendered in the last mentioned courts by citizens of St. Louis County, they shall be paid out of the County Treasury.

SEC. 32. In all cases where according to the laws in force up to the time when this Scheme shall go into operation, any public officer or other persons was required to pay any money coming into his hands from any source whatever into the County Treasury of St. Louis County, and where it is not otherwise provided in this Scheme, or the Charter framed under it, such officer or person shall, after the time aforesaid, pay all such money into the Treasury of the City of St. Louis, at or within such times as he was theretofore required to pay the same into the County Treasury; and if no time shall be prescribed by law for any such payments, then he shall pay the same monthly on the first Monday of each month, into said City Treasury, and shall take triplicate receipts therefor, stating the account on which such payment was made, one of which he shall file in the City Auditor's office, and one with the Comptroller, who shall charge the Treasurer with the amount so paid; and the said Auditor and Treasurer shall keep accounts showing the account on which such payments were made and the source from which the money was derived. All such money shall be applied and used for the purposes for which it was collected, or for which it is made applicable by law, and in all case when such money is not set apart or appropriated by law for specific purposes, the Municipal Assembly of the city may appropriate it to such municipal

uses as it may deem proper: *Provided, however,* That all fines, penalties and forfeitures collected or accruing in the County of St. Louis, or on account of said county or the people thereof, shall be paid in the manner and at times aforesaid into the County Treasury of said county, and duplicate receipts shall be taken as aforesaid by the officer or person paying the same, one of which he shall file with the County Clerk of said county, who shall charge the Treasurer with the amount so paid, and such money shall be appropriated and used as it is or may be provided by law; *and provided further,* That if any public officer or other person shall, at the time this Scheme goes into operation, be in default in the payment of any such money into the said County Treasury, he shall immediately pay the same into the said City Treasury in the manner aforesaid, and the same shall be disposed of as herein provided.

SEC. 33. All powers heretofore vested in the Collector of the County of St. Louis, and all duties required to be performed by him in reference to taxes on property situated outside of the limits of the City of St. Louis, as enlarged, and in reference to the sale of such property for taxes and the redemption thereof, shall, after the election and qualification of the Sheriff of the County of St. Louis, as provided by this Scheme, be executed and performed by such Sheriff; and all deeds for the sale of land for taxes made by him shall be acknowledged before the Clerk of the County Court of St. Louis County.

SEC. 34. The Municipal Assembly shall have power to enact all ordinances that may be necessary to carry into execution the laws relating to State, county, city and other revenue within the City of St. Louis, as enlarged; and such powers as are now vested by law in the County Court of St. Louis County, or the Clerk of said Court, or the County Collector and Auditor, may be exercised by such tribunals and officers as may be provided by ordinance.

SEC. 35. It shall be unlawful for any domestic animal of the species of horse, cattle, mule, ass, swine, sheep or goat to be suffered to run at large, by the owner thereof, in the City or County of St. Louis; and if any such animal be

found running at large in said city or county after this Scheme and Charter go into operation, it shall be lawful for any person to take up and restrain the same forthwith; and such person shall, within three days after so taking up and restraining such animal, give notice thereof to the owner, if known, and thereupon such owner shall pay a reasonable compensation for taking up, keeping and feeding such animal, and for damages actually caused by such animal. If the owner be not known, or fails to make such reasonable compensation after being notified, any animal so taken up shall be deemed an estray, and may be proceeded against by the taker up thereof, in the manner provided by law in regard to strays: *Provided, however,* That this section shall not be so construed as to prohibit any person from driving, herding and guarding such stock upon the uninclosed lands belonging to said County, the State, or the United States.

SEC. 36. In all cases where the limits of the City of St. Louis as herein extended, include a part only of any school district, the following shall be the mode of adjustment as to property held by or for the use or benefit of such district: First, where the part of such district, included within such extended limits, contains any school-house or other real estate belonging to the district, the Board of President and Directors of the St. Louis Public Schools shall pay into the County Treasury of St. Louis County, for the use of that part of the district not so included, such proportion of the valuation of said school property as the taxable value of property in the part of such district not so included bears to the taxable value of all property in such district, as constituted before such extension. Second, where the part of such district, not included within such extended limits, contains any school-house or other real estate belonging to the district, the inhabitants of the district not so included shall pay to the Board of President and Directors of the St. Louis Public Schools such proportion of the valuation of said school property as the taxable value of property in the part of such district included within the city limits bears to the taxable value of all property in such district, as constituted before such extension. The valuation of school prop-

erty mentioned in this section shall be made by arbitrators, one of whom shall be selected by the Board of President and Directors of the St. Louis Public Schools, and one by the Directors of the school district affected, who, if disagreeing, may select a third; or, if unable to agree on the selection of such third arbitrator, any School Director, or member of the Board of President and Directors of the St. Louis Public Schools, may apply to the Circuit Court of the Eighth Judicial Circuit to appoint one. A report of the valuation made by such arbitrators, or a majority thereof, shall be filed as soon as practicable in the Clerk's office of the Circuit Court of the Eighth Judicial Circuit. Any money to be paid to the Board of President and Directors of the St. Louis Public Schools shall be provided for by the assessment, levy and collection of a special tax on all taxable property within such districts not so included.

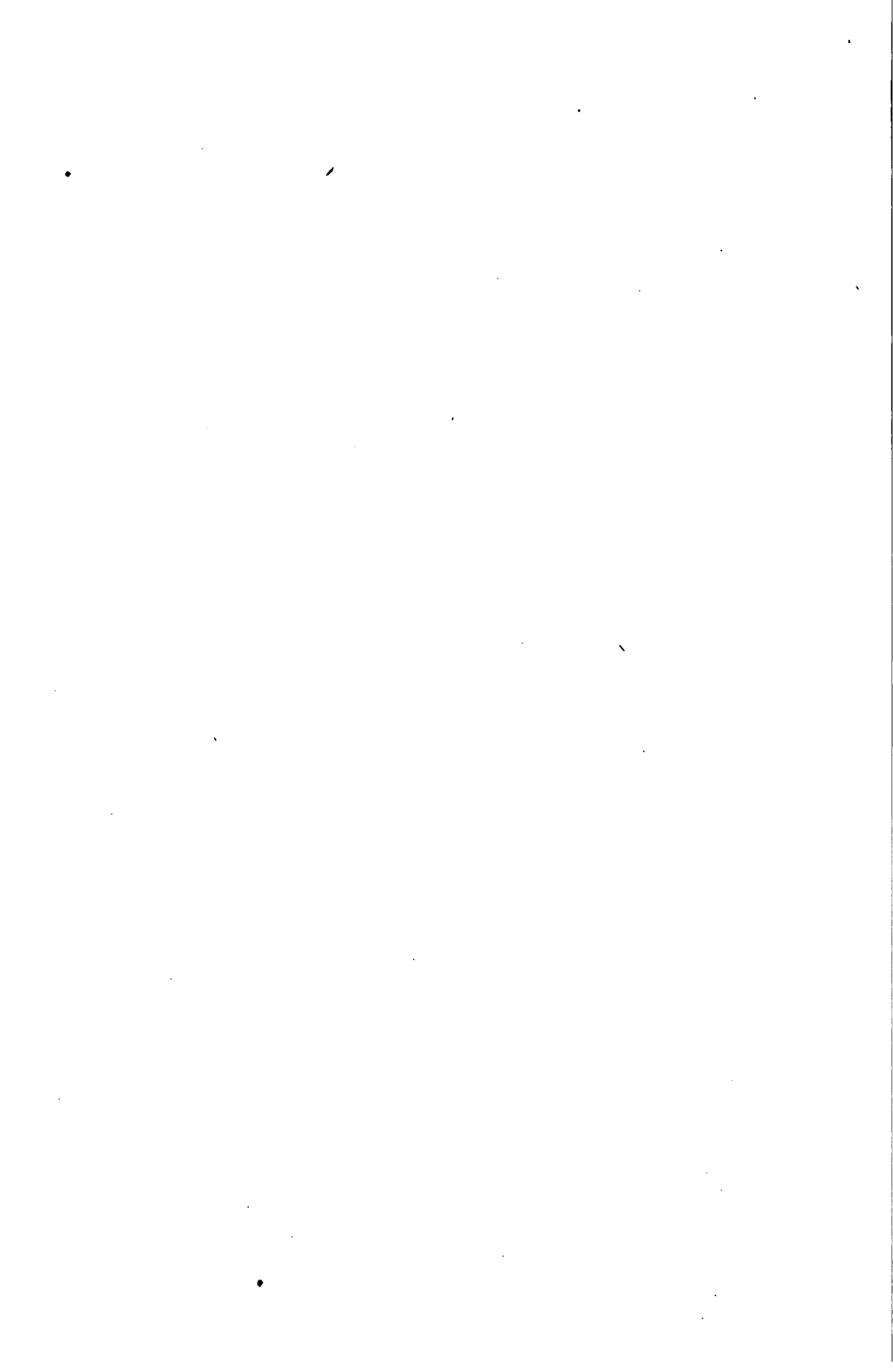
SEC. 37. All property, real, personal or mixed, of every kind and description, and the evidence of title thereto, now held by the County of St. Louis, or by the County Court of St. Louis County, in trust or for the use of the inhabitants of township forty-five north, of range seven east, for school purposes, and all such property, and the evidences of title thereto, held by any public officer for the use of any school district in said township, or held by or for the benefit of any such district, shall, as soon as this Scheme goes into effect, pass and be delivered to the Board of President and Directors of the St. Louis Public Schools; and the title to any and all such property shall, by operation hereof, vest in said Board.

SEC. 38. The Board of President and Directors of the St. Louis Public Schools shall, forthwith after this Scheme goes into effect, cause an enumeration to be taken of all children within school ages within the limits of the City of St. Louis, as herein established, and the County Court of St. Louis County shall cause forthwith a similar enumeration to be taken within the County of St. Louis, outside of the city limits, as herein established, showing the enumeration in each school district and fractional school district separately, a correct report of which enumeration shall be

filed by said Board and said court respectively, in the Clerk's office of the Circuit Court of the Eighth Judicial Circuit, within sixty days after this Scheme and Charter go into operation. So much of all property of every nature whatsoever, and the evidences thereof, belonging to the school fund of St. Louis County, or of Congressional townships affected by the extension of the present city limits, as, according to such enumeration, falls to the share of the district lying within the limits of the City of St. Louis, shall at once pass and be delivered by the County Court of St. Louis County, or public officers in charge thereof, to the Board of President and Directors of the St. Louis Public Schools, and the residue of all said property and the evidences thereof shall pass and be delivered by the present County Court of St. Louis County, or public officers in charge thereof, to the proper authorities of the County of St. Louis, as constituted by this Scheme. From and after the date this Scheme goes into operation all public officers within the City of St. Louis shall account for and pay over to the Board of President and Directors of the St. Louis Public Schools, all fines and penalties and other moneys collected within said city, and heretofore payable into and forming part of the County School Fund of St. Louis County.

SEC. 39. All claims for the printing, clerk hire and other expenses of this Board of Freeholders shall be made out and certified to by the President of the Board immediately after the adjournment of this Board, and such claims, so certified, shall, as soon as this Scheme and the Charter framed thereunder are adopted, be paid by the Treasurer of the present County of St. Louis out of the general revenue of said county, and such payments shall be allowed to said Treasurer in the settlement of his accounts as provided for in this Scheme.





# CHARTER

## OF THE

# CITY OF ST. LOUIS.

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### ARTICLE I.

#### CORPORATE POWERS, BOUNDARIES AND WARDS.

##### SECTION.

1. Corporate name and powers; authority to purchase, hold and dispose of property; to receive bequests, etc., and have a common seal.

##### SECTION.

2. Corporate limits and boundaries.  
3. Ward boundaries.  
4. Correction of ward limits and permanent division lines.

SECTION 1. The inhabitants of all that district of country embraced within the limits prescribed in the next succeeding section, shall be and continue a body corporate by the name and style of "The City of St. Louis," and by that name shall have perpetual succession, shall sue and be sued, implead and be impleaded, defend and be defended in all courts of law and equity, and in all actions whatsoever; may purchase, receive and hold property, real or personal, within said city, and beyond the limits of the city, to be used for the burial of the dead of the city; for the erection of waterworks to supply the city with water; for the establishment and erection of gasworks to supply the city with light; for the establishment of a hospital or hospitals, for the reception of persons infected with contagious or other diseases; for a poorhouse or poorhouses, workhouse, house of correction, or for any other purposes; may sell, lease or otherwise dispose of any property for the benefit of the city; may receive bequests, gifts and donations of all kinds

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of property, within or without the city, in fee simple or in trust, for charitable or other purposes, and do all acts necessary to carry out the purposes of such bequests, gifts and donations, with power to manage, sell, lease, or otherwise dispose of the same; and may have and use a common seal, and may break, change, or alter the same at pleasure.

SEC. 2. The corporate limits of the City of St. Louis shall comprise all that district of country situated in the County of St. Louis and State of Missouri, to wit: Beginning at a point in the middle of the main channel of the Mississippi river, and running thence westwardly at right angles to said channel, to a point on the west bank of said river 200 feet south of the centre of the mouth of the River des Peres; thence westwardly and parallel to the centre of the River des Peres and 200 feet south thereof, to the eastern line of the Lemay Ferry road; thence westwardly to a point in the west line of said Lemay Ferry road at its intersection with the centre of the Weber road; thence westwardly along the centre of the Weber road to its intersection with the east line of lot one (1) of the Carondelet Commons, south of the River des Peres; thence westwardly to the southeast corner of Rudolph Overman's, or northeast corner of B. H. Haar's land; thence westwardly to said Haar's northwest corner; thence northwestwardly to a point in the centre of the Gravois road six hundred (600) feet southwardly from the centre of the bridge across the River des Peres; thence northwestwardly to the southeast corner of lot thirty-one (31) of the subdivision of the Mackenzie tract, in United States Survey 1,953; thence northwestwardly in continuation of said last mentioned line to the southern line of lot twenty-one (21) of the subdivision of the said Mackenzie tract; thence northwestwardly to a point in the southern line of United States Survey 2,035, twenty-six (26) chains eastward from the southwest corner of said survey; thence northwardly to a point in the north line of the subdivision of East Laclede, six hundred (600) feet west of the McCausland road; thence northwardly and parallel to the centre of the

## CORPORATE POWERS, BOUNDARIES AND WARDS.

McCausland road, to a point on the Clayton road six hundred (600) feet west of its intersection with the McCausland road; thence northwardly and parallel with the Skinker road, and six hundred (600) feet west thereof to its intersection with the old Bonhomme road; thence northeasterly to the intersection of the centre lines of McLaren avenue and Mead street; thence in a northeasterly direction to a point in the Bellefontaine road six hundred (600) feet north of its intersection with the Columbia Bottom road; thence northwardly and parallel with the centre line of the Columbia Bottom road to the northern boundary line of the United States Survey number (114) one hundred and fourteen; thence eastwardly along said line to the centre of the main channel of the Mississippi river; thence with the meanderings of said channel southwardly to the point of beginning.

## WARD BOUNDARIES.

\*SEC. 3. The City of St. Louis shall be divided into twenty-eight wards, the boundaries of which shall be as follows:

*First Ward*—Shall be bounded, commencing in the middle of the main channel of the Mississippi river, opposite the foot of Plum street, thence west and along Plum street to Fourth street, south on Fourth street to Cerre street, west on Cerre street to Twelfth street, north on Twelfth street to Pine street, east on Pine street to Seventh street, south on Seventh street to Market street, east on Market street to Fourth street, south on Fourth street to Elm street, east on Elm street to the middle of the main channel of the Mississippi river, south and along the middle of the main channel of the Mississippi river to the place of beginning.

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\* The ward boundaries here given were established by three commissioners appointed by the St. Louis Circuit Court on November 17, 1886, pursuant to the act of March 31, 1885. Laws of 1885, p. 72. The commissioner's report was approved by the court in general term on February 11, 1887, and the above ward lines are therefore under the terms of said act the legal boundaries of the wards for all purposes for the five years succeeding the day of said approval, and until changed by the proper authorities.

## CORPORATE POWERS, BOUNDARIES AND WARDS.

*Second Ward*—Shall be bounded, commencing in the middle of the main channel of the Mississippi river, opposite to the foot of Elm street, thence west and along Elm street to Fourth street, north on Fourth street to Market street, west on Market street to Seventh street, north on Seventh street to Pine street, west on Pine street to Eleventh street, north on Eleventh street to Wash street, east on Wash street to Third street, north on Third street to Carr street, east on Carr street to the middle of the main channel of the Mississippi river to the place of beginning.

*Third Ward*—Shall be bounded, commencing in the middle of the main channel of the Mississippi river opposite to the foot of Rutger street, thence west and along Rutger street to Ninth street, south on Ninth street to Autumn street, west on Autumn street to Eleventh street, north on Eleventh street to Chouteau avenue, west on Chouteau avenue to Twelfth street, north on Twelfth street to Cerre street, east on Cerre street to Fourth street, north on Fourth street to Plum street, east on Plum street to the middle of the main channel of the Mississippi river, south and along the middle of the main channel of the Mississippi river to the place of beginning.

*Fourth Ward*—Shall be bounded, commencing in the middle of the main channel of the Mississippi river opposite the foot of Carr street, thence west and along Carr street to Third street, south on Third street to Wash street, west on Wash street to Seventh street, north on Seventh street to Cass avenue, west on Cass avenue to Ninth street, north on Ninth street to Brooklyn street, west on Brooklyn street to Tenth street, north on Tenth street to Tyler street, west on Tyler street to Eleventh street, north on Eleventh street to Monroe street, east on Monroe street to Broadway, south on Broadway to Chambers street, east on Chambers street to the middle of the main channel of the Mississippi river, thence south and along the middle of the main channel of the Mississippi river to the place of beginning.

*Fifth Ward*—Shall be bounded, commencing in the mid-

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dle of the main channel of the Mississippi river opposite the foot of Lafayette avenue, thence west and along Lafayette avenue to Eleventh street, north on Eleventh street to Autumn street, east on Autumn street to Ninth street, north on Ninth street to Rutger street, east on Rutger street to the middle of the main channel of the Mississippi river, south and along the middle of the main channel of the Mississippi river to the place of beginning.

*Sixth Ward*—Shall be bounded, commencing in the middle of the main channel of the Mississippi river opposite the foot of Chambers street, thence west and along Chambers street to Broadway, north on Broadway to Monroe street, west on Monroe street to Eleventh street, north on Eleventh street to Montgomery street, west on Montgomery street to Thirteenth street, northwardly and along Thirteenth street to Hebert street, west on Hebert street to Nineteenth street, north on Nineteenth street to Salisbury street, east on Salisbury street to Eleventh street, north and along Eleventh street and Bellefontaine road to its intersection with Broadway, north and along Broadway to the northern boundary line of the city limits as established in 1855, east and along said line to the middle of the main channel of the Mississippi river, thence south and along the middle of the main channel of the Mississippi river to the place of beginning.

*Seventh Ward*—Shall be bounded, commencing in the middle of the main channel of the Mississippi river opposite the foot of Victor street, thence west along Victor street to Eleventh street, north on Eleventh street to Lafayette avenue, east on Lafayette avenue to the middle of the main channel of the Mississippi river, south and along the middle of the main channel of the Mississippi river to the place of beginning.

*Eighth Ward*—Shall be bounded, commencing at the intersection of Eleventh and Wash streets, thence north on Eleventh street to Howard street, west on Howard street to Thirteenth street, north on Thirteenth street to Tyler street, northeast on Tyler street to Tenth street, south on Tenth

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street to Brooklyn street, east on Brooklyn street to Ninth street, south on Ninth street to Cass avenue, east on Cass avenue to Seventh street, south on Seventh street to Wash street, west on Wash street to Eleventh street, the place of beginning.

*Ninth Ward*—Shall be bounded, commencing in the middle of the main channel of the Mississippi river opposite the foot of Victor street, thence west and along Victor street to Second Carondelet avenue, south on Second Carondelet avenue to Sidney street, east on Sidney street to Thirteenth street, south on Thirteenth street to Lynch street, west on Lynch street to Jefferson avenue, south on Jefferson avenue to Miami street, east on Miami street to Cleon street, north on Cleon street to President street, west on President street to Broadway, north on Broadway to Arsenal street, east on Arsenal street to the middle of the main channel of the Mississippi river, thence north and along the middle of the main channel of the Mississippi river to the place of beginning.

*Tenth Ward*—Shall be bounded, commencing at the intersection of Eleventh and Wash streets, thence West on Wash street to Sixteenth street, north on Sixteenth street to Carr street, west on Carr street to Eighteenth street, north on Eighteenth street and Hogan street to Cass avenue, east on Cass avenue to Seventeenth street, north on Seventeenth street to Mullanphy street, east on Mullanphy street to Thirteenth street, north on Thirteenth street to Howard street, east on Howard street to Eleventh street, south on Eleventh street to Wash street, the place of beginning.

*Eleventh Ward*—Shall be bounded, commencing at the intersection of the western boundary line of the city limits as established in 1855, where the same is intersected by Wilmington road, thence north on said line to Shenandoah street, east on Shenandoah street and Victor street to Jefferson avenue, south on Jefferson avenue to Miami street, east on Miami street to Cleon street, north on Cleon street to President street, west on President street to Broadway, north on Broadway to Arsenal street, east on Arsenal street to the

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middle of the main channel of the Mississippi river, south and along the middle of the main channel of the Mississippi river to a point opposite the foot of Fillmore street, thence west and along Fillmore street to Michigan avenue, north on Michigan avenue to Wilmington road, west on Wilmington road to the place of beginning.

*Twelfth Ward*—Shall be bounded, commencing at the intersection of Mullanphy street and Thirteenth street, thence west on Mullanphy street to Seventeenth street, north on Seventeenth street to Howard street, east on Howard street Sixteenth street, northeast on Sixteenth street to Fifteenth street, northwest on Fifteenth street to St. Louis avenue, west on St. Louis avenue to Twenty-second street, north on Twenty-second street to Hébert street, east on Hebert street to Thirteenth street, south and along Thirteenth street to Montgomery street, east on Montgomery street to Eleventh street, south on Eleventh street to Tyler street, southwest on Tyler street to Thirteenth street, south on Thirteenth street to Mullanphy street, the point of beginning.

*Thirteenth Ward*—Shall be bounded, commencing in the middle of the main channel of the Mississippi river, opposite to the southern boundary line of the city limits, as existing in 1876, prior to the adoption of the Scheme and Charter, thence west and north along said line to the Wilmington road, east on Wilmington road to Michigan avenue, south on Michigan avenue to Fillmore street, east on Fillmore street to the middle of the main channel of the Mississippi river, thence south and along the middle of the main channel of the Mississippi river to the place of beginning.

*Fourteenth Ward*—Shall be bounded, commencing at the intersection of Jefferson avenue and Carr street, thence north on Jefferson avenue to Madison street, east on Madison street to Hogan street, south on Hogan street to Mullanphy street, east on Mullanphy street to Seventeenth street, south on Seventeenth street to Cass avenue, west on Cass avenue to Hogan street, south on Hogan street to O'Fallon street, east on O'Fallon street to Eighteenth street, south on Eighteenth



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street to Carr street, west on Carr street to Jefferson avenue, the place of beginning.

*Fifteenth Ward*—Shall be bounded, commencing at the intersection of Eleventh and Pine streets, thence west on Pine street to Twelfth street, south on Twelfth street to Market street, west on Market street to Fourteenth street, north on Fourteenth street to Lucas Place, west on Lucas Place to Fifteenth street, north on Fifteenth street to Washington avenue, west on Washington avenue to Sixteenth street, north on Sixteenth street to Franklin avenue, west on Franklin avenue to Eighteenth street, north on Eighteenth street to Carr street, east on Carr street to Sixteenth street, south on Sixteenth street to Wash street, east on Wash street to Eleventh street, south on Eleventh street to Pine street, the place of beginning.

*Sixteenth Ward*—Shall be bounded, commencing at the intersection of Jefferson avenue and Madison street, thence north on Jefferson avenue to Hebert street, east on Hebert street to Twenty-second street, south on Twenty-second street to St. Louis avenue, east on St. Louis avenue to Fifteenth street, southeast on Fifteenth street to its intersection with Sixteenth street, southwest on Sixteenth street to Howard street, west on Howard street to Seventeenth street, south on Seventeenth street to Mullanphy street, west on Mullanphy street to Hogan street, north on Hogan street to Madison street, west on Madison street to Jefferson avenue, the place of beginning.

*Seventeenth Ward*—Shall be bounded, commencing at the intersection of Jefferson avenue and Pine street, thence north on Jefferson avenue to Carr street, east on Carr street to Eighteenth street, south on Eighteenth street to Franklin avenue, east on Franklin avenue to Sixteenth street, south on Sixteenth street to Washington avenue, east on Washington avenue to Fifteenth street, south on Fifteenth street to Lucas Place, east on Lucas Place to Fourteenth street, south on Fourteenth street to Pine street, west on Pine street to Jefferson avenue, the place of beginning.

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*Eighteenth Ward*—Shall be bounded, commencing at the intersection of St. Louis avenue and the western boundary line of the city limits as established in 1855, thence north-eastwardly along said line to its intersection with Broadway, southeast on Broadway and Bellefontaine road to Eleventh street, south on Eleventh street to Salisbury street, west on Salisbury street to Nineteenth street, south on Nineteenth street to Hebert street, west on Hebert street to Jefferson avenue, south on Jefferson avenue to St. Louis avenue, west on St. Louis avenue to the western boundary line of the city limits as established in 1855, the place of beginning.

*Nineteenth Ward*—Shall be bounded, commencing at the intersection of Jefferson avenue and the Missouri Pacific railroad, thence north on Jefferson avenue to Bernard street, west on Bernard street to Ewing avenue, north on Ewing avenue to Walnut street, east on Walnut street to Jefferson avenue, north on Jefferson avenue to Pine street, east on Pine street to Fourteenth street, south on Fourteenth street to Market street, east on Market street to Twelfth street, south on Twelfth street to Randolph street, west on Randolph street to Fourteenth street, north on Fourteenth street to Spruce street, west on Spruce street to Eighteenth street, north on Eighteenth street to Clark avenue, west on Clark avenue to Twenty-first street, south on Twenty-first street to Missouri Pacific railroad, west and along the Missouri Pacific railroad to Jefferson avenue, the place of beginning.

*Twentieth Ward*—Shall be bounded, commencing at the intersection of the Missouri Pacific railroad with the western boundary line of the city limits as established in 1855, thence north on said line to Olive street, east on Olive street to Ware avenue, north on Ware avenue to Locust street, east on Locust street to Jefferson avenue, south on Jefferson avenue to Walnut street, west on Walnut street to Ewing avenue, south on Ewing avenue to Clark avenue, west on Clark avenue to Compton avenue, south on Compton avenue to Missouri Pacific railroad, west and along the Missouri

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Pacific railroad to the western boundary line of the city limits as established in 1855, the place of beginning.

*Twenty-first Ward*—Shall be bounded, commencing at the intersection of Park and Jefferson avenues, thence north on Jefferson avenue to Chouteau avenue, west on Chouteau avenue to West Jefferson avenue, thence north on West Jefferson avenue to the Missouri Pacific railroad, east and along the Missouri Pacific railroad to Twenty-first street, north on Twenty-first street to Clark avenue, east on Clark avenue to Eighteenth street, south on Eighteenth street to Spruce street, east on Spruce street to Fourteenth street, south on Fourteenth street to Randolph street, east on Randolph street to Twelfth street, south on Twelfth street to Chouteau avenue, east on Chouteau avenue to Eleventh street, south and along Eleventh street to Lafayette avenue, west on Lafayette avenue to Linn street, north on Linn street to Park avenue, west on Park avenue to St. Ange avenue, north on St. Ange avenue to Hickory street, west on Hickory street to Grattan street, south on Grattan street to Park avenue, west on Park avenue to Jefferson avenue, the place of beginning.

*Twenty-second Ward*—Shall be bounded, commencing at the intersection of Olive street with the western boundary line of the city limits as established in 1855, thence north along said line to Cass avenue, east on Cass avenue to Garrison avenue, south on Garrison avenue to Easton avenue, southeast on Easton avenue to Franklin avenue, east on Franklin avenue to Jefferson avenue, south and along Jefferson avenue to Locust street, west on Locust street to Ware avenue, south on Ware avenue to Olive street, West on Olive street to the western boundary line of the city limits as established in 1855, the place of beginning.

*Twenty-third Ward*—Shall be bounded, commencing at the intersection of Jefferson avenue and Lynch street, thence north on Jefferson avenue to Park avenue, east on Park avenue to Grattan street, north on Grattan street to Hickory street, east on Hickory street to St. Ange avenue, south on

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St. Ange avenue to Park avenue, east on Park avenue to Linn street, south on Linn street to Lafayette avenue, east on Lafayette avenue to Eleventh street, south on Eleventh street to Victor street, west on Victor street to Second Carondelet avenue, south on Second Carondelet avenue to Sidney street, east on Sidney street to Thirteenth street, south on Thirteenth street to Lynch street, west on Lynch street to Jefferson avenue, the place of beginning.

*Twenty-fourth Ward*—Shall be bounded, commencing at the intersection of Cass avenue and the western boundary line of the city limits as established in 1855, thence north along said line to St. Louis avenue, east on St. Louis avenue to Jefferson avenue, south on Jefferson avenue to Franklin avenue, west on Franklin avenue to Easton avenue, northwest on Easton avenue to Garrison avenue, north on Garrison avenue to Cass avenue, west on Cass avenue to the western boundary line of the city limits as established in 1855, the place of beginning.

*Twenty-fifth Ward*—Shall be bounded, commencing at intersection of Shenandoah street with the western boundary line of the city limits as established in 1855, thence north along said line to the Missouri Pacific railroad, east and along the Missouri Pacific railroad to Compton avenue, north on Compton avenue to Clark avenue, east on Clark avenue to Ewing avenue, south on Ewing avenue to Bernard street, east on Bernard street to Jefferson avenue, south and along West Jefferson avenue to Chouteau avenue, east on Chouteau avenue to Jefferson avenue, south on Jefferson avenue to Victor street, west and along Victor street and Shenandoah street to the western boundary line of the city limits as established in 1855, the place of beginning.

*Twenty-sixth Ward*—Shall be bounded, commencing at the intersection of Page avenue with the western boundary line of the city limits as established in 1876 by the Scheme and Charter, thence north, northeastwardly and east and along said line to the middle of the main channel of the Mississippi river, south and along the middle of the main chan-

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nel of the Mississippi river to a point opposite to the northern line of the city limits as established in 1855, west and south along said line to North Market street, west on North Market street to Sarah street, north on Sarah street to Kennerly avenue, west on Kennerly avenue and Kennerly avenue extended in a direct line to a point in a line which is the direct extension northwardly of the center line of that portion of King's highway between Lindell and Easton avenues, south on said line and King's highway to Page avenue, west on Page avenue to the western boundary line of the city limits as established in 1876 by the Scheme and Charter, the place of beginning.

*Twenty-seventh Ward*—Shall be bounded, commencing at a point in the middle of the main channel of the Mississippi river opposite to the southern boundary line of the city limits as established in 1876 by the Scheme and Charter, thence west, northwest and north, along said line to a point where Lindell avenue extended would intersect the same, thence east along said line and Lindell avenue to the western boundary line of the city limits, as established in 1855, thence south along said line and its continuation to the southern boundary line of the city limits as existing in 1876, prior to the adoption of the Scheme and Charter, thence east on said line to the middle of the main channel of the Mississippi river, thence south along the middle of the main channel of the Mississippi river to place of beginning.

*Twenty-eighth Ward*—Shall be bounded, commencing at the intersection of the western boundary line of the city limits as established in 1876 by the Scheme and Charter, and Lindell avenue extended, north and along said line to Page avenue, east on Page avenue to King's highway, north on King's highway and a line which is the direct extension northwardly of that portion of King's highway between Lindell and Easton avenues to Kennerly avenue extended, thence east on Kennerly avenue extended and Kennerly avenue to Sarah street, south on Sarah street to North Market street, east on North Market street to the western boundary line of

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the city limits as established in 1855, south on said line to Lindell avenue, west on Lindell avenue and Lindell avenue extended to the western boundary line of the city limits as established in 1876 by the Scheme and Charter, the place of beginning.

\*SEC. 4. The Municipal Assembly shall, every five years after the adoption of this Charter, establish corrected ward limits, which correction shall be made as near as practicable so as to equalize the number of registered voters in each ward.

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\* The power of the Municipal Assembly to establish new ward lines cannot be exercised prior to February 11, 1892. The existing ward lines, under the terms of the act of March 31, 1885 (Laws of 1885, p. 72), remain until said day, and until thereafter changed.

## ARTICLE II.

## ELECTION AND REGISTRATION.\*

## SECTION.

1. General election for city officers.
2. Registration authorized.
3. Qualification of voters.
4. Registration book; oath; form of book.
5. Recorder of Voters to be appointed.
6. Duty of Recorder.
7. Rights of voters; loss of papers; challenges; rejected ballots; proceedings against fraud.
8. Illegal registration of voting; punishment.
9. Corrupt registration by Recorder; penalty.
10. Misuse of registration book; penalty.
11. Books of November election, 1882, the basis for next registration; how lists to be arranged.
12. Offices of registration; Recorder to appoint deputies and clerks; their duties and compensation.
13. False registration; duty of Recorder.
14. Board of Revision, their duties and compensation.
15. Illegally striking off names of voters, penalty.

## SECTION.

16. Reports of deaths to be made, by whom.
17. Voters removing from one ward to another, duty.
18. Principal Deputy Recorder, his power and pay.
19. Judges of election, appointment, qualifications and duties; vacancies; registration lists to be delivered to judges; disqualification of judges reported to Recorder; proceedings, etc.
20. Ballot boxes; process of voting
21. Count of ballots; disposition of boxes and ballots.
22. Casting up the votes; giving certificates; case of tie.
23. Return to Secretary of State, how made.
24. Election precincts; regulations at polling places.
25. Elections to be conducted as required by law.
26. Expenses of registration, printing, etc.
27. Recorder to perform duties of county clerks, etc.
28. Recorder to provide places for holding elections.

SECTION 1. A general election of all elective officers required by this Charter, or by any ordinance of this city, shall be held on the first Tuesday in April, 1877, and every four years thereafter, except as otherwise provided in this Charter and the Scheme.

SEC. 2. There shall be a registration of all the qualified voters of the city, which registration shall be had as herein-after provided, and not otherwise.

\* Sections 2 to 28 inclusive, of this article, are sections 1 to 27, inclusive, of the act of March 31, 1883. Laws of 1883, p. 38.

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SEC. 3. Every male citizen of the United States, and every person of foreign birth who may have declared his intention to become a citizen of the United States, according to law, not less than one year nor more than five years before he offers to vote, who is over the age of twenty-one years, who has resided in this State one year next preceding the election at which he offers to vote, and during the last sixty days of that time shall have resided in the city, and during the last twenty days of that time in the precinct at which he offers to vote, who has not been convicted of bribery, perjury or other infamous crime, nor directly interested in any bet or wager depending upon the result of the election, nor serving at the time in the regular army or navy of the United States, shall be entitled to vote at such election for all officers, State or municipal, made elective by the people, or at any other election held in pursuance of the laws of this State, but he shall not vote elsewhere but in the election precinct where his name is registered and whereof he is registered as a resident.

SEC. 4. The City Register shall provide a suitable registration book for each election precinct in the city, which shall have written or printed thereon the following oath: "We, the undersigned, do solemnly swear (or affirm) that we will support the Constitution of the United States and of the State of Missouri. We do furthermore swear (or affirm) that we have registered in no other election precincts; that we and each of us have given our true names (as hereto subscribed); that we live at the places herein designated by us, and that we and each of us have truly answered all questions propounded us touching our registration." And it shall be the duty of the Recorder of Voters and his deputies to call the special attention of each person who may offer to register to the nature of this oath. The registration books and the registration lists or poll books as hereinafter provided to be delivered to the judges of election, shall be in the following form:



## ELECTION AND REGISTRATION.

Registration No.....	Number of the ballot in the order in which it was received.....	NAME AND RESIDENCE.	Peculiar Marks of Identification.....	Voted.....	Rejected .....
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SEC. 5. A Recorder of Voters shall be appointed by the Governor, by and with advice and consent of the Senate, for the city, for the term of four years from the first day of January, 1883, and until his successor be duly appointed and qualified; each succeeding Recorder shall be appointed in a like manner; the compensation of the Recorder of Voters shall be twenty-five hundred (2,500) dollars per year, payable out of the treasury of the city. The Recorder of Voters shall be a registered voter of the city and a citizen thereof for at least five years next preceding his appointment, and shall possess the qualifications of a State Senator, and he shall be ineligible to any elective office during the term for which he is appointed.

SEC. 6. Said Recorder of Voters shall keep his office in the City Hall of the city, and shall at all times (between the hours of 9 o'clock in the forenoon and 5 o'clock in the afternoon) attend therein for the purpose of recording in the various registration books the names of qualified voters of the city: provided, however, that for twenty days preceding the close of registration at each election, the office of Recorder of Voters shall be kept open until 9 o'clock p. m. of each day for the purpose of registering such qualified voters, and the Recorder of Voters is hereby authorized to administer all

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oaths or affirmations he may deem necessary in the registration of voters, and any person who shall falsely take and subscribe the oath prescribed in the fourth section shall thereby incur the pains and penalties of perjury.

SEC. 7. Every person having the qualifications of a voter, as prescribed in the third section, and who shall take and subscribe the oath required of voters, by the fourth section, and every naturalized citizen who shall subscribe to a written statement under oath, before the Recorder of Voters, that he is naturalized according to the laws of the United States and of this State, and he has resided in this State and in the city according to the third section of this act, and that his naturalization papers or evidences of his citizenship have been lost or destroyed, or that the same are not accessible to him, and shall state where he was naturalized and when, he may be accepted by the Recorder of Voters, and duly registered as a qualified voter in the registration book belonging to the election precinct in which he resides: provided, that any person registering according to the provisions of this article, when he offers to vote, may be challenged as disqualified by any person who is an elector of this State; and it shall be the duty of the judges of election of such precinct to try and determine, in a summary manner, before the close of the polls, the qualifications of any person challenged as aforesaid; and upon proof that the person so challenged is not a qualified voter, the judges of election shall reject his vote, and they shall state opposite his name on the registered list of voters the nature of his disqualifications and the names of the witnesses upon whose testimony his vote was rejected; but the vote of no person who may be challenged shall be rejected except upon the testimony of two credible witnesses: and provided, further, that the party challenging the right of any person to vote shall make oath before the judges of election at the time of challenging the vote, that, to the best of his knowledge and belief, the party (naming him) is not a qualified voter under the laws of this State, and shall also swear to the reasons that disqualify him from voting, which

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statement shall be supported by the sworn statement of another credible witness: and provided further, that the ballot of such person so rejected shall be preserved and returned with the book and other ballots in a separate envelope marked "rejected ballots," and the Recorder of Voters shall preserve the same in his office; and the judges of election shall (if in their judgment the public interest require it) report the name of the person whose vote was rejected, together with the names and residences of the persons upon whose testimony the same was rejected, to the Prosecuting Attorney of the Court of Criminal Correction, or other court of competent jurisdiction, who shall thereupon proceed against such person as in cases of felony.

SEC. 8. Whoever shall wilfully register as belonging to any other election precinct than the one in which he resides at the time of his registration, or shall register under an assumed name or names other than his own, or who shall wilfully register in more than one election precinct, or as living at a place or the number of a street where he does not live, or shall vote under another name than his own, or vote in a precinct where he does not at the time reside, or shall wilfully or illegally procure his name to be placed upon the registry list of voters when not entitled thereto, or vote or offer to vote when not entitled thereto at any election, State or municipal, shall be deemed guilty of a felony, and upon conviction thereof shall be imprisoned in the penitentiary for a term not exceeding five years.

SEC. 9. Any Recorder of Voters or Deputy Recorder of Voters who shall knowingly and corruptly register any person as a voter who is not entitled to be so registered, shall be deemed guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the penitentiary not exceeding five years; and any Recorder of Voters or Deputy Recorder of Voters who shall wilfully and maliciously or corruptly refuse to register any person entitled to be registered as a voter, shall be deemed guilty of a misdemeanor.

SEC. 10. Whoever shall wilfully or maliciously destroy,

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mutilate or deface, or take by violence from any one entitled to its custody, or who shall steal, take or carry away any original registration book or list of voters, required by this article to be made or kept, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be punished by a fine of not less than five hundred dollars or by imprisonment in the jail of any such city for a period not less than six months, or by both such fine and imprisonment; and any Recorder of Voters or Deputy Recorder of Voters who shall permit any such book of registration to be taken from his office or out of his custody, except in pursuance of law or ordinance, shall be deemed guilty of a misdemeanor, and upon conviction thereof, be punished according to law, and in addition thereto shall be removed from office as such Recorder or Deputy Recorder of Voters.

SEC. 11. The registration books of all the voting precincts within and for the city, made at the registration for the general election held in November, 1882, and now in the custody of the Recorder of Voters, shall form the basis of his registration thenceforth, and said books shall be corrected as hereinafter provided. The books of registration and the registration lists prepared for the judges of election shall be so arranged as to give the registration number, and name of the person registered, his residence and peculiar marks of identification.

SEC. 12. An office for the registration of voters shall be opened in each ward of the city in such manner, and for such times and under such conditions as shall be provided by the Recorder of Voters; and the Recorder of Voters shall appoint such Deputy Recorders of Voters as he may require, whose duty it shall be to register such voters of the respective wards as may apply to them to be registered, upon taking the necessary oath (or affirmation) required by this act; and said Deputy Recorders of Voters are hereby empowered and authorized to administer the oath or affirmation required by section four of this article, and all other oaths necessary in the registration of voters; and if any person

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shall falsely take and subscribe, before any of said Deputy Recorder of Voters the oath prescribed in the fourth section of this article, or any other oath herein by them authorized to be administered, such person shall thereby incur the pains and penalties of perjury. Said Recorder of Voters may appoint such other clerks and deputies as he may deem necessary to faithfully and promptly discharge the duties of his office; and such deputies and clerks shall hold office at the pleasure of the Recorder of Voters. The compensation of such clerks so appointed shall be at the rate of two dollars and fifty cents per day; and the compensation of the Deputy Recorders of Voters so appointed shall be at the rate of three dollars per day of seven hours actual work, and for all overtime or overwork the said clerks and Deputy Recorders of Voters shall receive the above rates *pro rata* for all such overtime or overwork. The Recorder of Voters shall designate the places for registration in the different wards and the time for which such ward registration shall continue in the wards respectively, and he shall appoint the deputy recorders and the other clerks and deputies authorized by this section, and their compensation shall be paid out of the treasury of the city. All clerks and Deputy Recorders of Voters before entering on the duties of their respective offices shall take and subscribe an oath before the Recorder of Voters that "they will support the Constitution of the United States and of the State of Missouri, and that they will faithfully demean themselves while in office, and that they will, to the best of their ability, carry out the provisions of this article," and the Recorder of Voters shall keep a record of all such oaths in his office.

SEC. 13. If the Recorder of Voters, or any of his deputies, shall have reason to believe from their personal knowledge or from other facts or evidence satisfactory to them, that any person has attempted to register or has registered illegally, corruptly or falsely, as provided in section eight of this article, it shall be his duty, or their duty, to cause such person to be arrested and prosecuted as provided by law.

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SEC. 14. The Recorder of Voters shall appoint a Board of Revision, not more than one-half of which shall belong to the same political party, consisting of one reputable citizen from each ward in the city, who shall possess the qualifications of a member of the House of Representatives, and whose duty it shall be to meet with the Recorder of Voters, who shall be *ex officio* President of the Board of Revision, at at his office at 3 o'clock p. m., twenty (20) days before each general, State or municipal election, for the purpose of examining the registration and making and noting corrections therein as may be rendered necessary by either their knowledge of errors committed or by competent testimony heard before the Board; they shall choose from among their number a Vice-President, who shall act in the absence of the President, and the Recorder of Voters shall furnish from among his clerks or deputies some one to act as Secretary of the Board. A majority of said Board shall be necessary to do business; they shall strike from the registration lists, by a majority vote of the members present, the names of all persons who have removed from the residence from which they were registered, or who may have improperly registered under an alias name, or registered at a street, house or number at which he does not reside, or who may have died, or who were registered from vacant houses or vacant lots, or who have left the city permanently, or who, for any reason, is not entitled to registration under the provisions of this act; and said Board shall also place on such registration lists in their proper places under their proper letter of the alphabet, and in their proper precinct, the names of such persons as in their judgment are entitled to registration and have been improperly stricken from such lists or improperly rejected by the Recorder of Voters, or any of his deputies, upon a like proceeding as above. They shall sit for ten days as a Board of Revision, during which time the registration lists are to be revised, after which time they shall sit for two days as a Board of Review for the purpose of hearing and acting on such appeals as may be made from their action in striking

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names from the registration lists at their first sitting (of ten days). If it shall appear to the satisfaction of a majority of the Board that they had wrongfully stricken from the registration lists the name of any voter who was legally entitled to register, they shall cause any such name or names to be reinstated on the registration lists of the city. They shall also be authorized further to revise the registration lists and to strike off such other names as may be found to have been improperly registered, died, removed, registered from vacant house or vacant lot, and it shall be the duty of the Recorder of Voters to erase from the registration books and the registration lists required to be furnished to the judges of election, the names of all persons ordered to be stricken from the registration books under the provisions of this section. The Board of Revision shall publish their proceedings and an alphabetical list of the names of all persons stricken off from day to day in the papers doing the city printing, and such persons shall have the right of appeal to have their names restored to the registration lists at any time during the sessions of the Board. On the twelfth day after the first meeting of the Board of Revision they shall adjourn *sine die*. The members of said Board of Revision shall be entitled to and allowed three dollars a day each for each day in which they were actually engaged in the duties of their office. Registration in the respective wards shall close forty (40) days before each State or municipal election, and registration at the principal office at the City Hall shall close twenty (20) days before such election.

SEC. 15. Any revisor or member of the Board of Revision who shall wilfully, maliciously or corruptly vote to strike off the name of any person from such registration lists, knowing at the time that such person is legally entitled to register under the provisions of this act, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not to exceed one hundred dollars, or by imprisonment in the jail of the city not to exceed one month, or by both such fine and imprisonment, at the discretion of the court.

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SEC. 16. Every physician in the city, and the managers of all public and private hospitals, shall immediately report to the Health Commissioner of the city the name and residence (street and number) of each adult (and must designate whether colored or white) male who died under their charge, and the Coroner of the city shall also report to said Commissioner the name and residence (street and number) (whether the person is white or colored) of all male adult decedents so far as the same can be ascertained, and the Clerk of the Board of Health and Commissioner is hereby required to transmit, weekly, a list of such names and residences, with street and number, and must designate whether the person is white or colored, of all adult male decedents, and all other like information he may possess, to the Recorder of Voters, who shall thereupon enter opposite the name of each person so reported found on his registration books, the fact of such death. Whoever fails to report as above required, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished as provided by law.

SEC. 17. Any registered voter who shall remove from one place to another in the city, shall, not less than twenty days previous to the next election following, report the fact of such removal to the Recorder of Voters, giving his name and place, or number from which as well as that to which he has removed; and said Recorder of Voters shall note the facts opposite the name of the person removing, and re-enter his name in the list of voters for the precinct wherein he may be entitled to vote.

SEC. 18. The Recorder of Voters shall appoint one principal Deputy Recorder of Voters, who shall hold office for and during the pleasure of said Recorder of Voters, and said Deputy Recorder of Voters shall be vested with all the powers and duties of the Recorder of Voters during the absence, sickness or inability of said Recorder of Voters to discharge the duties of his office. The said principal Deputy Recorder of Voters shall be entitled to and receive a salary of fifteen hundred dollars per annum, payable monthly.



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SEC. 19. The Recorder of Voters, at least ten days before every election held in the city, shall appoint four competent persons to act as judges of election, not more than two of whom shall belong to the same political party, and two persons of different politics to act as clerks, at each election precinct in the city; all of said judges and clerks of election shall reside in the precinct, and shall be qualified voters thereof in which they are to serve, and they shall, before entering upon the duties of their office, take an oath or affirmation that they will support the Constitution of the United States and of the State of Missouri, and to the best of their skill and ability, diligently and faithfully, without partiality or prejudice, discharge the duties of such office according to the Constitution and laws of this State, and according to the provisions of this article, and that they will not disclose how any voter shall have voted, unless required to do so, as witnesses in a judicial proceeding. If any of the persons so appointed as judges of election shall fail or refuse to act, the legal voters of the district assembled at the polls on the morning of the day of election, to the number of not less than ten, shall have the power, at the hour when the polls are to open, to elect some person possessing the qualifications herein provided, to fill any vacancy that may exist, first subscribing their names in witness of such election, to a paper, which shall be returned, by the judges of the precinct to the Recorder of Voters, to be filed by him among the papers of his office, and be subject to inspection by any qualified voter. The Recorder of Voters shall notify judges and clerks of election of their appointment, by delivering, or causing to be delivered to each of them, a certificate thereof, in writing, at least five days before the election at which they are to serve; and the Recorder of Voters shall, on the day before said election, deliver to said judges two copies of the corrected registration list of their respective precinct, alphabetically arranged, together with a copy of the law regulating elections. Said copies of registration list shall, after each election, be returned by the judges to the Recorder

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of Voters, with the poll books and election returns, and shall be by him securely kept; provided, that upon presentation to the Recorder of Voters of an affidavit, at least five days before any election, sworn and subscribed to by at least ten qualified voters of the precinct, stating that any appointed judge of election of said precinct is unfit for the position by reason of habitual drunkenness, inability to read and write, nearness of kinship to any candidate to be voted for at such election or such precinct, or being generally corrupt, or for any other cause which, in the judgment of the Recorder of Voters, would disqualify such person from serving as judge; said Recorder of Voters shall have power to revoke such appointment and substitute another person duly qualified as hereinbefore provided. The compensation of such judges and clerks of election shall be three dollars per day each.

SEC. 20. The Recorder of Voters shall provide two ballot boxes for each election precinct, one of which shall be numbered number one, and the other number two, and it shall be the duty of the judges of election to select from their number two, who shall be designated and known as "receiving judges," and two shall be designated and known as "counting judges." The two receiving judges shall receive the ballots of each elector, and shall, upon receipt thereof, pronounce in an audible voice the name of the voter, and if the judges shall be satisfied that the person offering to vote is a legal voter, his ballot shall be taken and numbered in the order he offers to vote, and the ballot shall be folded by one of the judges, who shall place the registration number on the back of the ballot, and then draw a horizontal line under it, and shall place the number of the ballot in the order in which it was voted, thus:  $\frac{316}{18}$ ; said numbers shall be announced in a plain and audible voice by the judge, loud enough to be heard by the bystanders outside the polling precinct, and the ballot shall then be deposited in the ballot box, which shall be securely closed for the period of one hour after the opening of the polls. The clerks of the election shall enter the voting number of the ballot, and the word "voted" or "rejected,"

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as the case may be, opposite the voter's name on the registration list furnished to them. At the expiration of such hour, the receiving judges shall deliver said ballot box number one to the counting judges, who shall immediately deliver over to the receiving judges ballot box number two, which shall thereupon be securely closed, in which all ballots received, as above provided, by the receiving judges, shall be deposited during the next hour. After the delivery of said ballot box number one to said counting judges, the same shall be opened by them, and the ballots, or so many thereof as can be counted within the hour, shall be taken out and counted in the presence of all the judges and clerks and party representatives, in the manner provided by law, and at the close of each hour of said election day the said ballot boxes shall be changed from the receiving judges to the counting judges in the same manner as herein provided for the first hour, and it shall be the duty of the counting judges to announce to the electors present the total number of votes polled at the close of each hour, but no information or statement of any kind shall be given or made by the judges or clerks of election revealing the number of votes received by any candidate at such election, or the name of any person who has, or the name of any person who has not voted, or any information tending to show the state of the polls: provided, that each political party shall have the right to select one representative to be present with the judges of election from the opening to the closing of the polls, who may challenge any person offering to vote, but shall not interfere with the judges or clerks in the discharge of their duties. Said representatives shall make oath before the judges of election that they will not directly or indirectly give any information showing the state of the polls: provided, further, that no ballot not numbered as herein provided shall be counted, and that the judges shall, in the presence of the electors, examine the ballot boxes at the opening of the polls, and before any ballots are received to see that they are empty.

SEC. 21. At the close of the polls the registration book

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or lists shall be signed by the judges and attested by the clerks, and the names therein marked "voted" shall be counted and the number set down at the foot of the registration book or list, which number must be equal to the number of ballots counted and the names therein marked "rejected," or otherwise disposed of, shall be counted and the number set down at the foot of the registration book or list, which number shall be equal to the number placed in the "rejected ballots envelope." The ballots, after being counted and strung, shall be placed in the ballot boxes, then sealed and immediately delivered by at least two of the judges of each election precinct to the Recorder of Voters of the city, who shall remain in his office until all such boxes are delivered to him, and shall deposit them in his office, where they shall be safely kept for twelve months, and the Recorder of Voters shall not allow the same to be inspected or handled unless in case of contested elections, or unless the same shall become necessary to be used in evidence, and then only on an order of a proper court. Should the judges fail to return the registration books and ballot boxes within twenty-four hours after the closing of the polls, the Recorder of Voters shall go for and demand said books and boxes.

SEC. 22. The Recorder of Voters shall, within eight days after the close of each election, take to his assistance two Justices of the Peace, and after making proclamation at the door of his office that the returns are about to be cast up, shall proceed publicly, to examine and cast up the votes given to each candidate, and give to those to whom he is required by law to issue certificates of election having the highest number of votes, a certificate of election: provided, that if two or more persons shall receive an equal number of votes for the same office and at the same election, and a higher number than any other person, the Recorder of Voters shall report such facts to the Secretary of State, in the case of the election of a State officer, and to the Mayor of the city in the case of the election of a municipal officer of the city.

SEC. 23. The Recorder of Voters shall, within two days

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after the time limited for the examination of the polls and returns, deposit into the Post Office, addressed to the Secretary of State, a fair abstract of the votes given in the city for members of Congress, Governor, Lieutenant Governor, State Senators and Representatives, Judges of the Supreme Court, Judges of the Court of Appeals, Judges of the Circuit Court, Secretary of State, State Auditor, State Treasurer, Register of Lands, Attorney General and Superintendent of Public Schools, and for all other State officers. Such abstract shall be inclosed in a strong envelope, closely sealed and indorsed: "Returns of an election held in the city of — on the — day of —, A. D. eighteen —, for the office of —, etc.," in the city.

SEC. 24. In providing for the elections, precincts for voting shall be made by the Municipal Assembly of the city of compact and contiguous territory, regarding ward lines, and so regulated that no one shall contain more than one thousand registered voters. No person shall solicit votes or offer tickets within the distance of 200 feet of the place of voting; but candidates may have their tickets deposited at the place of voting for the use of voters, in the immediate view and control of the judges of election and party representatives, who shall protect the same from destruction, and in their aid one policeman at least shall be present during the election. Any person who shall wilfully or maliciously destroy, mutilate or deface, or take, by violence, from any one entitled to its custody, or who shall steal, take and carry away any original registration book or list of voters required by this article to be made or kept, or shall wilfully destroy or maliciously mutilate or deface the ballots of any political party, or of any candidate or candidates during the day of election, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than five hundred dollars, or by imprisonment in the city jail not less than six months, or by both fine and imprisonment; and any Recorder of Voters who shall permit any such book of registration to be taken from his office, or out of his custody, except in pur-

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suance of law or ordinance, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished as provided for misdemeanor in this article, and in addition thereto shall be removed from office.

SEC. 25. All elections in the city shall be conducted in all respects as provided in this article, and subject to all the provisions of the Revised Statutes, entitled, "Of elections," so far as the same do not conflict with this article, and to an act entitled, "An act to provide for the punishing of persons for giving or receiving any money or other valuable thing to be used for electioneering purposes," approved March 18, 1874.

SEC. 26. All the costs and expenses of registration and of the office of Recorder of Voters required by this act shall be paid out of the city treasury, and all printing, binding, etc., shall be let by contract, subject to such regulations as are or may hereafter be prescribed by ordinance of the city.

SEC. 27. The Recorder of Voters shall perform all duties now required of Clerks of County Courts by general law, and shall have the same power and authority of such clerks for the purpose herein stated.

SEC. 28. All elections shall be held at such place in each ward as the Recorder of Voters may direct, and he shall provide, at the expense of the city, suitable rooms for the judges and clerks of any election, and upon his certificate of the amount, not to exceed the sum of five dollars for each voting place, and upon the approval of the Recorder of Voters, the Auditor shall draw his warrant on the Treasurer, payable out of the appropriation for elections and registration.

## ARTICLE III.

## LEGISLATIVE DEPARTMENT.

## SECTION.

1. Municipal Assembly to consist of two Houses.
2. Council composed of 18 members; qualifications, etc.
3. Terms of members of first Council; tie vote; one-half of Council to be elected biennially.
4. House of Delegates elected every two years.
5. Qualifications of members of House of Delegates.
6. Additional qualifications for members of Assembly; oath of members, etc.
7. Vacancies in Assembly, how filled.
8. Each House to appoint its own officers and be judge of the election, etc., of its own members; tie vote; may punish for contempt; President of Council elected every four years; quorum; sessions; adjournments, etc.
9. Journal of proceedings.
10. Members of Assembly ineligible for office during term.
11. One annual session.
12. Style of ordinances.
13. Origin, amendment and passage of bills.
14. Compensation of members of Assembly.
15. Engrossment of bills.
16. Vote of majority of members elect necessary to pass bill.
17. Amendments; reports of Committees on Conference.
18. Reference to title insufficient to re-enact.
19. Form of amendments.
20. Motion to reconsider, etc.
21. Ordinances to take effect ten days after approval, except in cases of emergency.

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22. Bills to be signed in open session; to be read at length; objections, how disposed of.
23. Bills approved to be returned by Mayor within ten days.
24. Mayor may object to items of appropriation and approve portions of bill.

25. Veto of ordinances by Mayor.
26. Legislative powers of Mayor and Assembly.

*First*—To assess, levy and collect taxes; borrow and appropriate money.

*Second*—To establish, improve, light, sprinkle, etc., streets; condemn property; repairs of streets, bridges, etc. water-courses; water works; Police and Fire Department.

*Third*—Municipal buildings; market places, and authority to improve or sell parks, etc.

*Fourth*—To improve harbor; regulate ferries; create port wardens; regulate mooring of vessels; lease portions of wharf, etc.

*Fifth*—To license, tax and regulate all kinds of business, etc.; fix rates for carriage, drayage, etc., and regulate width of tires; to suppress certain occupations and amusements.

*Sixth*—To establish quarantine; regulate quarrying, slaughtering of animals, and abate nuisances; summary power of Mayor.

*Seventh*—To establish standard for weights and measures; inspection of lumber, etc., and various articles of food and manufacture, etc.

*Eighth*—To regulate and provide for elections; fix jury fees, salaries, etc.

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## SECTION.

*Ninth*—To prevent riots; to regulate or prohibit animals running at large; obstructions on streets, etc.

*Tenth*—To impose and collect fines, etc.; commitments to Workhouse.

*Eleventh*—To protect rights of city in corporations; grant, regulate or repeal railway franchises; free passes on street railways prohibited.

*Twelfth*—To examine premises; regulate storage of gunpowder etc.; prohibit wooden buildings, and enforce precautions against fire; inspection of buildings, etc.

*Thirteenth*—To provide for insane persons and paupers; assessments, etc., of State revenue.

*Fourteenth*—General authority to pass and enforce ordinances; provide for census.

## SECTION.

27. To guard against fires in public halls, etc.

28. Numbering, printing, etc., of ordinances; repeal of same.

29. Revision of general ordinances.

30. Assembly forbidden to remit taxes or compromise claims.

31. Power to compel attendance of witnesses, etc., and administer oaths.

32. Power to distribute duties of officers and abrogate offices.

33. Appropriations for charitable purposes.

34. Stone quarries, soap factories, etc., forbidden within 300 feet of dwellings, except by consent.

35. Restrictions as to cholera, small-pox patients, etc.

SECTION 1. The legislative power of the City of St. Louis shall be vested in a Council and a House of Delegates, to be styled the "Municipal Assembly of the City of St. Louis."

\*SEC. 2. The Council shall consist of thirteen members, one of whom shall be its President, who shall be chosen on a general ticket by the qualified voters of the city, for four years, subject to the exception stated in the next section. Every member of the Council shall be a qualified voter, at least thirty years of age, and shall have been a citizen of this State five years, and an inhabitant of the city for one year next before the day of his election.

SEC. 3. Of the members of the Council first elected, the President and the six receiving the highest number of votes shall hold their office for four years, and the other six for only two years. In case of a tie the senior in age shall hold for four years. At each general election thereafter for members of the House of Delegates, members of the Council

\* The provision originally contained in section 2, requiring members of the Council to be free-holders of property, was repealed by section 4387 of the Revised Statutes, and is omitted.



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shall be elected to succeed those whose terms will then have expired.

SEC. 4. The House of Delegates shall consist of one member from each ward, to be chosen every two years by the qualified voters of the several wards.

SEC. 5. Every member of the House of Delegates shall, before the day of election, have attained the age of at least twenty-five years, have been a citizen of the United States and an inhabitant of the city three years, and of the ward which he may be chosen to represent, one year, and shall have paid city and State taxes for at least two years next before the day of election.

SEC. 6. In addition to the qualifications in the preceding sections, every member of the Municipal Assembly shall possess the following: He shall not be directly or indirectly interested in any contract with the city, or any department or institution thereof, and shall not be indebted to the State or city on account of any tax. He shall not have been convicted of malfeasance in office, bribery, or other corrupt practices or crimes. Before any member of the Council or House of Delegates shall take his seat or perform the duties of his office, he shall take and subscribe an oath before the Register (who shall file the same in his office), that he possesses all the qualifications required in this and the preceding sections, and is not subject to any of the disqualifications therein named, and that he will support the Constitution of the United States and of this State, and faithfully discharge the duties of his office. Any member who shall at any time during his term cease to possess any of the qualifications mentioned in this and the preceding sections, shall thereby forfeit his office, and the same shall be filled as provided for in cases of other vacancies.

SEC. 7. Whenever a vacancy occurs, from any cause, in the office of any member of the Assembly, the mayor, upon information thereof, shall, by proclamation, order an election to fill such vacancy for the unexpired term thereof, if the same exceed three months, to be held upon some day named

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in such order, not less than twenty nor more than thirty days next after the issuing of the proclamation.

SEC. 8. Each House shall appoint its own officers, except the President of the Council, and shall be sole judge of the qualifications, election and returns of its own members; and in case of a tie vote shall certify the same to the Mayor, who shall order a new election; may determine the rules of its own proceedings, except as herein provided; may arrest and punish by fine, not exceeding three hundred dollars, or imprisonment, as provided by ordinance, not exceeding ten days, or both, any person not a member, who shall be guilty of disrespect to the House by any disorderly or contemptuous behavior in its presence during its sessions; may punish its members for disorderly conduct, and with the concurrence of two-thirds of all members elect, may expel a member; but no member shall be expelled a second time for the same cause. The presiding member of the Council shall be designated as "President," and shall be elected as such by the qualified voters, by general ticket, every four years. The presiding officer of the House of Delegates shall be designated as "Speaker," and be elected by the members thereof. A majority of the whole number of members of each House shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may compel the attendance of absent members in such a manner and under such penalties as each House may provide. The sessions of each House shall be held with open doors. Neither House shall, without consent of the other, adjourn for more than seven days at any one time, nor to another place than that in which the two Houses may be sitting. The Assembly shall hold its sessions in the City Hall, subject to temporary change as aforesaid.

SEC. 9. Each House shall keep a Journal of its proceedings, and the yeas and nays of the members on any question shall, at the desire of any two members, be taken and entered therein.

SEC. 10. No member of the Assembly shall, during the

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term for which he is elected, be eligible or appointed to any office under the city, nor shall any member of the Assembly, while such, be an employee of the city, or of either branch of the Assembly, in any capacity whatever, and no compensation shall be audited or paid for services as such officer or employee.

\*SEC. 11. One session of the Assembly shall be held annually, beginning on the third Tuesday of April.

SEC. 12. The style of ordinances of this city shall be: "*Be it ordained by the Municipal Assembly of the City of St. Louis, as follows:*"

SEC. 13. No ordinance shall be passed, except by bill, and no bill shall be so amended in its passage through either House as to change its original purpose. Bills may originate in either House, and may be amended or rejected by the other; and every bill shall be read on three different days in each House. No bill shall be considered for final passage unless the same has been reported upon by a committee. No bill (except general appropriation bills, which may embrace the various subjects and accounts for and on account of which moneys are appropriated) shall contain more than one subject, which shall be clearly expressed in its title.

SEC. 14. Each member of the Assembly shall be entitled to receive, for his official services of every kind, annually, during his term of office, three hundred dollars and no more; but may be paid his reasonable expenses, authorized and incurred in any such service, to be approved by the House of which he is a member. Whenever a member of the Assembly is absent, without leave from his House first obtained therefor, for an entire sitting of any meeting, he shall forfeit one dollar of his official compensation; and for this purpose the roll of each House shall be called at each meeting thereof, and the names of such absentees shall be entered upon the Journal, and be reported at the close of each meeting to the Auditor, who shall deduct from each

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\* This section is an amendment to the Charter, adopted at the Charter amendment election held on October 6, 1885.

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member's allowance the amount of forfeitures incurred as aforesaid.

SEC. 15. All amendments adopted by either House, to a bill pending and originating in the same, shall be incorporated with the bill by engrossment. The engrossing shall be under the supervision of a committee of three, whose report to the House shall set forth, in writing, that they find the bill truly engrossed and correct.

SEC. 16. No bill shall become an ordinance unless on its final passage the majority of the members elected to each House vote in its favor, and the vote be taken by yeas and nays, and the names of the members voting for and against the same be entered on the Journal.

SEC. 17. No amendment to bills by either House shall be concurred in by the other, except by a vote of a majority of the members elected thereto, taken by yeas and nays, and the names of those voting for and against recorded upon the Journal thereof; and reports of Committees of Conference shall be adopted in either House only by the vote of a majority of the members elected thereto, taken by yeas and nays, and the names of those voting recorded upon the Journal.

SEC. 18. No ordinance shall be revived or re-enacted by mere reference to the title thereof, but the same shall be set forth at length, as if it were an original ordinance.

SEC. 19. No ordinance shall be amended by providing that designated words thereof be stricken out, or that designated words be inserted, or that designated words be stricken out and others inserted in lieu thereof; but the ordinance or section amended shall be set forth in full as amended.

SEC. 20. When a bill is put upon its final passage in either House, and failing to pass, a motion is made to reconsider the vote by which it was defeated, the vote upon such motion to reconsider shall be immediately taken, and the subject finally disposed of before the House proceeds to any other business.

SEC. 21. No ordinance passed by the Assembly, except

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the general appropriation ordinance, shall take effect or go in force until ten days after its approval, unless in case of an emergency (which emergency must be expressed in the preamble or in the body of the ordinance), the Assembly shall, by a vote of two-thirds of all the members elected to each House, otherwise direct; said vote to be taken by yeas and nays, and entered upon the Journal.

SEC. 22. No bill shall become an ordinance until the same shall have been signed by the presiding officer of each of the two Houses in open session; and before such officer shall affix his signature to any bill, he shall suspend all other business, declare that such bill will now be read, and that, if no objections be made, he will sign the same to the end that it may become an ordinance. The bill shall then be read at length, and if no objections be made, he shall in the presence of the House, in open session, and before any other business is entertained, affix his signature, which fact shall be noted on the Journal, and the bill immediately sent to the other House. When it reaches the other House, the presiding officer thereof shall announce the reception of the bill, and the same proceedings shall thereupon be observed, in every respect, as in the House in which it was first signed. If in either House any member shall object that any substitution, omission or insertion has occurred, so that the bill proposed to be signed is not the same in substance and form as when considered and passed by the House, such objection shall be passed upon by the House, and, if sustained, the presiding officer shall withhold his signature.

\* SEC. 23. Every bill, immediately after its passage in both Houses, shall be presented to the Mayor, for his approval or disapproval. And the Mayor shall, within ten days after such presentation, consider and return such bill to the House in which it originated with his approval indorsed thereon or accompanied by his objection. If he approves the same it shall become a law, or in case the Muni-

\* This section is an amendment to the Charter adopted at the charter amendment election held on October 6, 1885.

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cial Assembly remain in session for ten days after such presentation, and the Mayor fails to return such bill as herein required, it shall become a law as if approved by him. Provided, that if the Municipal Assembly shall finally adjourn within ten days after any such presentation, the Mayor shall, within ten days after such adjournment, return such bill to the Register, with his approval or reasons for disapproval, otherwise it shall become a law as if approved.

SEC. 24. If any ordinance presented to the Mayor contain several items of appropriation, he may object to one or more items while approving other portions of the bill. In such case he shall append to the ordinance at the time of signing it, a statement of the items to which he objects, and the appropriation so objected to shall not take effect. If the Assembly be in session, he shall transmit to the House in which the ordinance originated a copy of such statement, and the items objected to shall be separately reconsidered. If it be not in session, then he shall transmit the same within ten days to the Register, with his approval or reasons for disapproval.

SEC. 25. Every bill presented as aforesaid, but returned without the approval of the Mayor, and with his objections thereto, shall stand as reconsidered in the House to which it is returned. The House shall cause the objections of the Mayor to be entered at large upon the Journal, and proceed, at its convenience, to consider the question pending, which shall be in this form: "Shall the bill pass, the objections of the Mayor thereto notwithstanding?" The vote upon this question shall be taken by yeas and nays, and the names entered upon the Journal; and if two-thirds of all the members elected to the House vote in the affirmative, the presiding officer of that House shall certify that fact on the roll, attesting the same by his signature, and send the bill with the objections of the Mayor to the other House, in which like proceedings shall be had in relation thereto, and if the bill receive a like majority of the votes of all the members elected to that House, the vote being taken by yeas and nays, the

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presiding officer thereof shall in like manner certify the fact upon the bill. This bill, thus certified, shall be deposited in the office of the Register, as an authentic act, and shall become an ordinance in the same manner; and with like effect, as if it had received the approval of the Mayor.

SEC. 26. The Mayor and Assembly shall have power within the city, by ordinance not inconsistent with the Constitution or any law of this State, or of this Charter :

*First*—To assess, levy and collect all taxes for general and special purposes, on real and personal property and licenses ; to borrow money on the faith and credit of the city, by the issue or sale of bonds or notes, for such amounts, and for such time, and for such purpose as may be required for current expenses, and for payment of maturing bonds ; but no note for the purpose of borrowing money shall be made or issued for a longer period than twelve months ; to appropriate the money of the city for legitimate purposes, and provide for its debts and expenses.

*Second*—To establish, open, vacate, alter, widen, extend, pave, or otherwise improve and sprinkle all streets, avenues, sidewalks, alleys, wharves, and public grounds and squares, and provide for the payment of the costs and expenses thereof in the manner in this Charter prescribed ; and also to provide for grading, lighting, cleaning and repairing the same, and to condemn private property for public uses, as provided for in this Charter ; to construct and keep in repair all bridges, streets, sewers and drains, and to regulate the use thereof, and to confine, wall up, cover over, alter or change the channel of water-courses ; to establish and maintain waterworks for fully supplying the city with wholesome water, and to distribute the same for public and private uses in such manner and upon such terms as shall be provided by ordinance ; to establish and maintain a sanitary system, a system of Police and a Fire Department : *Provided*, That no system of Police shall be established or maintained other than the present Metropolitan system as long as the same is established by law.

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*Third*—To erect, purchase or rent a city hall, work-houses, houses of correction, poor-houses, insane asylums, engine-houses, and all other necessary municipal buildings; to establish market-places and meat-shops, and license, regulate, sell, lease, abolish, or otherwise dispose of the same; and to inclose, improve, regulate or sell all parks and other public grounds belonging to the city.

*Fourth*—To construct all needful improvements in the harbor; to control, guide or deflect the currents of the river; to erect, repair and regulate public wharves and docks; to regulate marine railways; to regulate and license all ferries and tow-boats, towing boats or other water craft into, or out of, or within the harbor; to sell ferry privileges within the city limits, and to establish ferry rates; to create the office of port wardens, and define their duties; to regulate the stationing, anchoring and mooring of vessels and wharf-boats within the city; to charge and collect wharfage and tonnage dues, levee rates, and wharfage on firewood, lumber, timber, logs, shingles, staves, posts, laths, and other articles brought to the port of St. Louis; to set aside or lease portions of the unpaved wharf for special purposes, such as the erection of sheds, elevators and warehouses, and for railroad tracks, for quay-places, for the landing of lumber for mills, for cotton presses, for manufactories, and for any purpose tending to facilitate the trade of the city; but no permit to use any portion of the wharf, or any lease of the same, shall be granted for a term exceeding fifty years.

*\* Fifth*—To license, tax and regulate undertakers, dentists, auctioneers, grocers, merchants, retailers, hotels, boarding-houses, tenement houses, office buildings, public buildings, public halls, public grounds, concerts, photographers, artists, agents, porters, runners, drummers, public lecturers, public meetings and shows, real estate agents and brokers, financial

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\* By section 4388 Revised Statutes municipal corporations in this State are forbidden to license lawyers and doctors, and the provision in this paragraph as the same originally existed applying to lawyers, doctors and doctresses is omitted.



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agents and brokers, horse and cattle dealers, patent-right dealers, inspectors and gaugers, stock-yard proprietors, examiners of titles, conveyancers, mercantile agents, insurance companies and insurance agents, bankers, banking or other corporations or institutions, telegraph companies or corporations, street railroad cars, livery and sale stables, hackney carriages, private carriages, barouches, buggies, wagons, omnibuses, carts, drays and other vehicles, and all other business, trades, avocations, or professions whatever; to fix the rates for carriage of persons, and of wagonage, drayage and cartage of property, and regulate the width of the tires of all vehicles for heavy transportation; to license, regulate, tax or suppress ordinaries, hawkers, peddlers, brokers, pawnbrokers, money changers, intelligence offices, public masquerade balls, street exhibitions, dance houses, fortune tellers, pistol galleries, lottery ticket dealers, corn doctors; lock, private and venereal hospitals, museums and menageries, equestrian performances, horoscopic views, lung testers, muscle developers, magnifying glasses, billiard tables or any other tables or instruments used for amusement, circuses, operatic, theatrical and other exhibits, shows and amusements; saloons, beer houses, tippling houses, dramshops, and gift enterprises; and to suppress prize fights, coon fighting, dog fights, chicken cock fights, gaming or gambling houses; and to suppress bawdy and disorderly houses, houses of ill-fame and of assignation; to provide for and enforce the registration of all births, marriages or deaths; to license, tax, regulate or suppress all occupations, professions and trades not heretofore enumerated, of whatever name and character.

*Sixth*—To establish and enforce quarantine laws and regulations to prevent the introduction and spread of contagious diseases; to establish and regulate hospitals, and to secure the general health of the inhabitants by any measure necessary; to regulate stone-quarries and quarrying of stone, and the slaughtering of animals; provide for the erection, management and regulation of slaughter-houses; prevent the

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driving of stock through the city; prohibit the erection of soap factories, stock-yards, and slaughter-houses, pig-pens, cow stables and dairies, coal oil and vitriol factories within prescribed limits, and to remove and regulate the same; and to regulate or prevent the carrying on of any business which may be dangerous or detrimental to the public health, or the manufacture or vending of articles obnoxious to the health of the inhabitants; and to declare, prevent and abate nuisances on public or private property and the causes thereof; and the Mayor, whenever, in his opinion, a nuisance exists on public or private property, or whenever a nuisance has been so declared by ordinance or resolution of the Board of Health, is authorized to abate and remove such nuisance and the cause thereof in a summary manner, at the cost of the owner or occupant of the premises where the nuisance or the cause thereof may be, and for that purpose may enter upon and take possession of any premises or property where such nuisance may exist or be produced.

*Seventh*—To regulate and establish the standard of weights and measures to be used in the City of St. Louis, and to provide for the inspection of the same; to make provision for the inspection and measurement of lumber and other building material; for the inspection of steam boilers and all steam heating apparatus, and to license engineers using steam boilers in said city; for the inspection of beef, pork, flour, meal, oil, coal oil, naphtha, benzine and other burning fluids, molasses, syrups, turpentine, vinegar, beer and ale, wines, whiskey, rum, brandy, and other spirituous liquors in barrels, hogsheads and other vessels; for the inspection and weighing or measuring hay or stone coal, charcoal, firewood, and all other kinds of fuel to be used in the City of St. Louis; for the inspection of butter, cheese, milk, lard and other provisions; for regulating the weight and quality of bread; the price and quality of gas; and for the inspection and vending of meat, poultry, fish and vegetables; to designate the place where such articles shall be sold; restrain and punish the forestalling of poultry, butter, eggs, vegetables and fruit, and regulate or

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suppress hucksters: *Provided*, That nothing in this article shall be construed as to authorize the inspection of any article enumerated in this act, which is to be shipped beyond the limits of the city, except at the request of the owner thereof; *and provided further*, That the inspectors, under this subdivision, shall be qualified by practical experience to discharge their respective duties.

*Eighth*—To regulate and provide for the election or appointment of city officers required by this Charter, or authorized by ordinance, and provide for their suspension or removal; and they shall establish the salaries of all officers and the compensation of all employes, excepting day laborers, and jurors and witnesses, respectively, for their services: *Provided*, That the salary of no officer shall be changed during the term for which he is elected or appointed, and that no other officer receiving a salary shall receive any fees or other compensation for his services.

*Ninth*—To restrain and prevent any riot, rout, noise, disturbance, or disorderly assemblage, and amusements dangerous to persons or property, in any street, house or place in the city, and regulate or prohibit the running at large of cattle, cows, hogs, goats, dogs, and every other brute animal within the limits of the city; to prevent and remove all obstructions and encroachments upon the sidewalks, curbstones, carriageways, streets, avenues and alleys, at the expense of the owners of the ground fronting thereon, and to regulate and prohibit the building of vaults under sidewalks.

*Tenth*—To impose, collect and enforce fines, forfeitures and penalties for the breach of any city ordinance. Any offender who shall neglect or refuse to pay any fine, penalty and costs that may have been imposed upon him or her, shall be committed to the Workhouse, or, in case of women, in such other place as for them may be provided, until such fine, penalty and costs be fully paid: *Provided*, That no such imprisonment shall exceed six months for any one offense. Every person so committed to the Workhouse, or such other place aforesaid, shall be required to work for

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the city at such labor as his or her health and strength will permit, within or without said Workhouse, or other place, not exceeding ten hours each working day; and for such work the person so employed shall be allowed, exclusive of his or her board, fifty cents per day for each day's work, on account of said fine and costs.

*Eleventh*—To take all needful steps in and out of the State, to protect the rights of the city in any corporation in which the city may have acquired an interest; to have sole power and authority to grant to persons or corporations the right to construct railways in the city, subject to the right to amend, alter or repeal any such grant, in whole or in part, and to regulate and control the same, as to their fares, hours and frequency of trips, and the repair of their tracks, and the kind of their rails and vehicles; but every right so granted shall cease, unless the work of construction shall be begun within one year from the granting of the right, and be continued to completion with all reasonably practical speed, and it shall be cause of forfeiture of the rights and privileges derived from the city, of any railroad company operating its road only within this city, which shall allow any person to ride or travel on its road gratuitously or for less than usual price or fare, unless such person be an officer or employe of such company.

*Twelfth*—The Assembly, through its officers or agents, may, at all reasonable times, enter into and examine all dwellings, lots, yards, enclosures and buildings of every description, to ascertain their condition for health, cleanliness and safety; take down and remove buildings, walls, or superstructures, that are or may become dangerous, or require owners to remove or put them in a safe and secure condition, at their own expense; regulate the storage of gunpowder, giant powder, dynamite, nitro-glycerine, and other explosive compounds, and of all combustible and inflammable materials, the use of lights and candles in stables, shops and other places; remove or prevent the construction of any fire-places, chimneys, stove, oven, boiler,

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kettle, or any apparatus used in any house, building, manufactory or business, which is liable to cause fires or conflagrations; direct the safe deposit of ashes, or other dangerous rubbish or material, and order and regulate the building of partition, parapet and fire walls, partition fences, smoke flues, hot-air flues, smoke stacks, and the erection and cleaning of chimneys; shall provide for the safe construction, inspection and repairs of all private or public buildings within the city; regulate, restrain or prohibit the erection of wooden buildings within the prescribed limits and remove the same at the owner's expense when erected or suffered to remain contrary to law or ordinance; compel persons to aid in extinguishing fires, or in the preservation of property liable to be destroyed or stolen, and compel owners of buildings to have scuttles on their roofs and stairs or ladders leading thereto.

*Thirteenth*—To provide for the support and maintenance and confinement of insane persons; and to make suitable provisions for the maintenance and support of poor persons; to exercise the same powers and perform the same duties in regard to the assessment and collection of the State revenue, within the City of St. Louis, as is now by law vested in the County Court of St. Louis County, in such manner as provided by ordinance.

*Fourteenth*—Finally, to pass all such ordinances, not inconsistent with the provisions of this Charter, or the laws of the State, as may be expedient, in maintaining the peace, good government, health and welfare of the city, its trade, commerce and manufactures, and to enforce the same by fines and penalties not exceeding five hundred dollars, and by forfeitures not exceeding one thousand dollars; to purchase, rent, or lease, within the limits of the city or elsewhere, any real or personal property, and to control, manage, sell, or lease, or otherwise dispose of the same for such purposes and considerations as they may deem proper for the public welfare of the city, and to provide for the enumeration of the inhabitants of the city.

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SEC. 27. The Assembly shall, without unnecessary delay, enact stringent and efficient laws for securing the safety of persons from fire in halls and buildings let or used for public assemblies and for entertainments or amusements.

SEC. 28. Every ordinance, when passed and approved by the Mayor, or when it shall have become a law, shall be sent to the City Register, and by him shall be numbered, printed, filed and preserved in his office, according to ordinance, and no special or general ordinance, which is in conflict or inconsistent with general ordinances of prior date, shall be valid or effectual until such prior ordinance, or the conflicting parts thereof, are repealed by express terms.

SEC. 29. There shall be a revision of the general ordinances of the city once in every five years, to be provided for by ordinance.

SEC. 30. The Assembly shall not have power to relieve any citizen from the payment of any lawful tax, or to exempt him from any burden imposed upon him by law, or ordain the payment of any demand not authorized and audited according to law, nor shall the Assembly have power to ordain or authorize the compromise of any disputed demand, or any allowance therefor or therein, except as provided in the contract therefor, or the payment of any damages claimed for alleged injuries to person or property, except by ordinance and adopted by a vote of two-thirds of the members of each House taken by yeas and nays.

SEC. 31. The Assembly, or either House, shall have power to compel the attendance of witnesses, and the production of papers relating to any subject under consideration, and in which the interests of the city are involved, and shall have power to call upon any proper officer of the City of St. Louis to execute such process. The President of the Council and Speaker of the House, and the chairman of any committee of either House, shall have authority to administer oaths to witnesses.

SEC. 32. The Assembly shall have the power, by a vote of three-fourths of the members of each House, to transfer

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and distribute the powers and duties, in part or in whole, of any office provided for in this Charter to another, or others, and in such case the performance of the powers or duties added to those of any office shall not entitle its officer to additional compensation, and in case the entire powers and duties of an office be so transferred and distributed, the compensation of the holder of such office shall cease, and he shall no longer be the officer thereof.

SEC. 33. The Assembly shall not appropriate any money for charitable purposes, except such as shall be subject to its own supervision and administration, under a system of suitable arrangements to be established, whereby the partakers of the charity shall respectively earn what they receive to the extent of their ability.

SEC. 34. No stone quarry shall be opened, or brick kiln located, or soap factory, slaughter house, bone or rendering factory erected within the distance of 300 feet of any dwelling house built and inhabited before such opening, location, or erection, without the consent, in writing, of the owner and of the occupant of every such house. The Assembly shall provide, by ordinance, for the effectual enforcement of this section.

SEC. 35. No person, association or corporation shall knowingly receive for medical treatment of the invalid or sick, any patient sick with small-pox, plague or cholera, unless authorized by an ordinance therefor. Every violation of this section shall be punished by a fine not less than one hundred dollars nor more than three hundred dollars, to be collected as shall be provided for by ordinance.

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4. Gas Commissioner; bonds of officers.
5. Suspension and removal of officers.
6. Suspension of elective officers by Mayor; action of Council thereon.
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8. Appointed officers removed by Council; Mayor to fill vacancies.
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11. Officers to devote their entire time to official duties; hours for municipal business.
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50. Commissioners on Charitable Institutions to meet monthly at City Hall and visit institutions monthly; may recommend ordinances to Assembly; shall receive no compensation.

SECTION 1. The following named city officers shall be elected by the qualified voters of the city, and shall hold their office for a term of four years, and until their successors shall be duly elected and qualified, viz: a Mayor, Comptroller, Auditor, Treasurer, Register, Collector, Recorder of Deeds, Inspector of Weights and Measures, Sheriff, Coroner, Marshal, Public Administrator, President of Board of Assessors, and the President of the Board of Public Improvements.

SEC. 2. The Mayor shall appoint the following officers, who shall hold their office for four years, and until their successors shall have been duly appointed and qualified, to-wit: a City Counselor, such District Assessors as may be provided by ordinance, Superintendent of Workhouse, Superintendent of House of Refuge, Superintendent of Fire and Police Telegraph, Commissioner of Supplies, Assessor of Water Rates, two Police Justices, Attorney, Jailer, and five Commissioners on Charitable Institutions: *Provided, however,* That the first appointments under this Charter shall be for two years only, so that the appointments made thereafter shall be made at the beginning of the third year of the Mayor's term.

SEC. 3. He shall also appoint five commissioners, who

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shall be known as Street Commissioner, Sewer Commissioner, Water Commissioner, Harbor and Wharf Commissioner, and Park Commissioner, who, with the President thereof, shall constitute the Board of Public Improvements.

SEC. 4. In case the city at any time become the owner of any gas-works, then there shall be added to the commissioners before named a Gas Commissioner. All city officers shall give such a bond for the faithful performance of their duties as the Municipal Assembly shall ordain; said bonds shall be approved by the Mayor and Council.

SEC. 5. Any elected city officer may be suspended by the Mayor and removed by the Council for cause; and any appointed officer may be removed by the Mayor or Council for cause. In either case the Mayor shall temporarily fill the vacancy, except as hereinafter provided.

SEC. 6. Whenever the Mayor shall suspend any elected officer, he shall immediately notify the Council of such suspension and the causes therefor. If the Council be not in session, then he shall immediately call a session of the same in such manner as shall be provided by ordinance. The Mayor shall present charges against such suspended officer to the Council, and furnish a copy of the same to said officer, who shall have the right to appear with a legal adviser before the Council for his defense. If a majority of all the members elected shall, by resolution, sanction the action of the Mayor, then the suspended officer shall thereby be removed from office and a new election shall be ordered to fill the vacancy; but if a majority disagree with the Mayor, then he shall be immediately reinstated.

SEC. 7. Whenever the Mayor shall remove any appointed officer from office, he shall immediately notify the Council of such removal and the causes therefor, and said Council shall fill the vacancy by electing a suitable person to fill the place. If the Council be not in session, the Mayor shall temporarily fill the vacancy, and shall report the fact of the removal at the next session of the Council. The Mayor shall have the

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power of removing an officer so elected as if he had been appointed by the Mayor.

SEC. 8. All officers appointed by the Mayor shall be subject to removal by a majority of the elected members of the Council, but if so removed, the Mayor shall fill the vacancy by another person, and no confirmation of the Council shall be required. Whenever the removal of any officer by the Council be proposed, and the same is not in session, the President thereof shall, upon a request in writing of five of its members, call a session thereof for the consideration of such removal.

SEC. 9. All appointments made by the Mayor shall require the confirmation of a majority of the members of the Council. If the Council shall refuse to confirm the appointment of the Mayor, then he shall, within ten days thereafter, nominate another person to fill the office, and he may continue to nominate until his nominees are confirmed. If the Mayor fails to make another nomination within ten days from the rejection of a nomination, then the Council shall elect a suitable person to fill the office during the term.

SEC. 10. All elected and appointed officers shall possess the following qualifications: They shall have been citizens of the United States and of the City of St. Louis for at least two years previous to their election or appointment, and shall be able to read and write the English language. They shall not at the time of their election be in arrear to the city for taxes, or indebted to the city in any way. They shall not be interested either directly or indirectly in any contract with the city, either for work to be performed or supplies to be furnished. They, excepting the Commissioners on Charitable Institutions, shall not hold any State or Federal office, and shall hold their offices until their successors are duly qualified.

SEC. 11. Any city officer, excepting the Mayor and Commissioners on Charitable Institutions, who shall, except when absent from the city, fail to devote his entire time during business hours to the duties of his office, shall be removed or

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suspended by the Mayor or Council. All city offices shall be kept open from eight o'clock A. M. to six o'clock P. M. from 1st of April to 1st of October, and from nine o'clock A. M. to five o'clock P. M. from 1st October to 1st of April.

SEC. 12. Any elected city officer may be removed from office by a two-thirds vote of all the members of the Council, notice thereof and an opportunity to be heard by counsel being given to said officer. In case the Mayor shall be removed from office, then the President of the Council shall act as Mayor until a Mayor is elected. Whenever any city officer shall be removed from office by the Council the yeas and nays shall be recorded on the Journal of that body.

SEC. 13. In case any elective office shall become vacant within six months from the expiration of the time for which its incumbent shall have been elected, then the Council shall by election fill the vacancy for the unexpired term. In case the Mayor's office shall become vacant within six months from the expiration of his term, then the President of the Council shall be *ex-officio* Mayor for the unexpired term.

SEC. 14. The Sheriff, Coroner and Marshal may have such deputies as may be provided by ordinance. The assistants of any officer shall hold their position during good behavior unless otherwise provided by ordinance, but may be removed for cause by the Mayor, or by the officer under whom they work, at his pleasure. All offices of the several departments of the city shall be in the City Hall or some other building owned by the city, unless otherwise specially provided by the Assembly.

\*SEC. 15. The Mayor shall be chief executive officer of the city; and shall be at least thirty years of age.

SEC. 16. He shall, from time to time, give the Assembly information relative to the state of the city, and shall recommend to their consideration such measures as he may deem expedient in the interests of the city. He shall take care

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\* The provision originally contained in Section 15 requiring the Mayor to be a freeholder of property in the city, was repealed by Section 4387 of the Revised Statutes, and is omitted.

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that the laws of the State and the ordinances of the city are respected and enforced within the city, and may remit fines, costs, forfeitures and penalties duly imposed for violation of any ordinance, and shall make a report of the same to the Assembly at every session thereof. He shall have power to appoint a competent person or persons to examine the affairs of any department or departments whenever he shall deem it necessary.

SEC. 17. The President of the Council shall perform the duties of Mayor whenever and so long as the Mayor from any cause is unable to perform his official duties. If the Mayor and the President of the Council are both absent from the city, or otherwise disabled from performing the duties of the Mayor, the Speaker of the House of Delegates shall for the time being, discharge the duties of said office, and either of them, while acting as Mayor, shall receive the same compensation as the Mayor.

SEC. 18. The Mayor may, by proclamation, call special sessions of the Assembly, giving not less than three days' notice, and shall specially state to them, when assembled, the objects for which they have been convened, and their action shall be confined to such objects.

SEC. 19. The permanent residence of the Mayor and all other officers of the city, except when otherwise provided by ordinance, shall be within the limits or jurisdiction of the city; otherwise their offices shall become vacant.

SEC. 20. The Comptroller shall exercise a general supervision over the fiscal affairs of the city; the collection and return into the treasury and disbursement of all revenue and moneys of the city; of all property, assets and claims, and the sale or other disposition thereof; and, by and with the advice and consent of the Mayor, shall see that all necessary official and legal proceedings are had for the protection of the city's interests in all such property, assets and claims; that proper rules and regulations are prescribed and observed in relation to all accounts, settlements and reports connected with the fiscal concerns of the city; that no liability is in-

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curred, or expenditure made from the treasury, without due authority of law ; and that appropriations are not overdrawn. He is especially charged with the preservation of the credit and faith of the city in relation to its public debt and other liabilities, and whenever it is necessary to meet payments thereof, principal or interest, he shall, with the written approval of the Mayor, make his requisition for a warrant on the treasury for that purpose, and shall, with the Mayor's written approval, do and perform any and all other acts and things not inconsistent with the provisions of this Charter and any ordinance thereunder, as are proper to accomplish the duties contemplated herein. He shall make annual reports to the Assembly and to the Mayor on his request, on the financial condition and requirements of the city, with careful statements and estimates of receipts and expenditures. The records in his office shall show the financial operations, condition, property, assets and claims of the city, the expenditures authorized for public works, and all contracts, with names of contractors, in which the city is interested, and the bonded or other indebtedness of the city. He shall require all claims, returns, settlements or reports to be verified by affidavit. He shall countersign all warrants drawn on the city treasury for any payments, except as hereinafter provided, and shall duly record the amount and nature of same. He shall have access to the books and other records of any department under the city government whenever he so desires, and he shall see that the accounts of the city are kept in a plain, methodical manner. He shall give bond to the city in the sum of not less than three hundred thousand dollars, with not less than three good securities, holders of unincumbered real estate in the City of St. Louis, to be approved by the Mayor and Council. He shall have a seat in either branch of the Municipal Assembly, with a right to debate on any question pertaining to his department, but shall have no vote. Should any judgment be rendered against the city, for which no provision has been made by ordinance or otherwise, the Comptroller is authorized, with the approval

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of the Mayor, to effect a temporary loan to meet the same, and to do and perform all other acts, with the approval of the Mayor, necessary to preserve the credit and property or rights of the city, and perform such other duties as may be provided by ordinance. All delinquent or special tax-bills, and all other claims, marshal's, sheriff's or constables' deeds or certificates of sale, in the nature of liens on property in which the city is directly or indirectly interested as owner or creditor, shall be deposited with the Comptroller, and his receipts taken therefor and filed with the Auditor. He shall keep a full and complete register thereof, and whenever the Treasurer's receipt is presented and filed in his office for any such bill or claim, he shall release the same on the register, and, when necessary, the Mayor and Comptroller shall execute a quit-claim deed for the property redeemed.

SEC. 21. The Auditor shall be the general accountant of the city, and as such it shall be his duty to receive and preserve in his office all accounts, books, vouchers, documents and papers relating to the accounts or contracts of the city, its debts, revenues and other fiscal affairs, and to adopt a proper mode and manner of double-entry book-keeping. He shall state and render all accounts filed or kept in his office between the city and other persons or body corporate, except when otherwise provided by law or ordinance. He shall examine, adjust and audit all unsettled accounts, claims and demands against the city, for the payment of which any money may be drawn from the city treasury; and after having examined the same with all accompanying vouchers and documents, shall certify thereon the balance or true state of such claim or demand, and draw his warrant on the Treasurer in payment thereof; but no such claim or demand, or any part thereof, shall be audited against the city unless it is authorized by law or ordinance, and is in proper and fully itemized form, and unless the amount required for the payment of the same shall have been appropriated for that purpose by the Assembly. He shall have power to administer oaths, and shall require set-

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lements of accounts to be verified by affidavit, whenever he thinks proper, and shall keep the accounts of the city, general and special, in a systematic and orderly manner. He shall give bond to the city in the sum of not less than one hundred thousand dollars, with not less than three securities, who shall be holders of unincumbered real estate within the city, to be approved by the Mayor and Council. He shall audit all bills when presented in proper form and duly authorized, bearing the necessary signatures or certificates, and otherwise in accordance with the law and ordinance. He shall be responsible for all acts of his employees.

Sec. 22. It shall be the duty of the Treasurer to receive and keep the money of the city, and pay out the same on the warrants drawn by the Auditor and countersigned by the Comptroller, except as hereinafter provided. All moneys belonging to the city received by any officer or agent thereof, either from collections, loans, sale of bonds, fees, fines and penalties, or otherwise, shall be deposited in the city treasury regularly once a day, unless otherwise provided by law or ordinance, and in case the provisions of this section are not complied with, it shall be the Treasurer's duty to report any delinquencies to the Mayor. He shall give triplicate receipts in all cases, one for the party paying, one for the Auditor, and one for the Comptroller, which shall set out the amounts paid and from what it proceeds, and to what account credited. All payments on account of pay-rolls shall be made by the Treasurer, after the same have been audited and placed in his hands therefor. His books shall at all times be open to the inspection of the Mayor, Comptroller, or any member of the Municipal Assembly, and he shall report the balance in the treasury each day to the Comptroller and Mayor. He shall give bond for the faithful performance of his duty in the sum of not less than five hundred thousand dollars, with not less than five securities, who shall be holders of unincumbered real estate within the city, to be approved by the Mayor and Council. The Mayor, Comptroller and Treasurer shall annually select a bank or banking institution which will give



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the highest rate of interest for the current deposit of the city's funds: *Provided, however,* That before any deposit shall be made by the Treasurer, the said bank or banking institution shall give a bond for five hundred thousand dollars, with good and sufficient securities, to be approved by a unanimous vote of the Fund Commissioners, for the safe keeping and prompt payment of said funds, or any part thereof, when demanded by the Treasurer, and shall at all times keep the securities on its bond satisfactory to said commissioners.

SEC. 23'. The Register shall have the custody of the city seal, the public records, the original rolls of ordinances and the Municipal Assembly, all original contracts, deeds and certificates relative to the title of any property of the city, all official, penal, indemnity or security bonds, and such other records, papers and documents of value as are not required to be deposited with any other officer, all of which shall be registered by numbers, date and contents; he shall attest all public instruments or official acts of the Mayor, by his signature and the seal of the city, and shall also certify, under his hand and the seal of the city, all copies of such original documents, records and papers in his office, as may be required by any officer or person, and charge therefor to individuals such fees as may be provided by ordinance, and he shall provide copies of all contracts in his office for the Auditor and Comptroller, when requested so to do by them. He shall have general supervision of the public printing, and shall see that it is executed as hereinafter provided, and shall cause to be printed, filed and preserved, in his office, all ordinances passed by the Assembly; shall register and preserve, in his office, all contracts, the oaths or affirmations taken by the city officers, and may administer such oaths or affirmations. He shall appoint such clerks as he may require, subject to the approval of the Mayor. He shall do and perform all duties now required of the Clerk of the County Court by any general or special law not inconsistent with this section of the Scheme, and shall

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exercise the same power, authority and jurisdiction as said clerk for the proper execution of the laws of this State.

SEC. 24. The Collector shall collect all City, State and School taxes, licenses, wharfage, and all other claims that the city may have against any person, and shall pay the same over to the Treasurer once each day. The State and school taxes collected by him shall be paid as provided by law. He shall give bond for the faithful performance of his duties, in such sum as the Municipal Assembly may deem requisite, not less than two hundred thousand dollars, with five securities, who are owners of unincumbered real estate in the city, which bond shall be approved by the Mayor and Council; and shall keep the books and accounts of his office as may be directed by ordinance, or, in the absence of any definite requirements, the Comptroller shall prescribe the manner of keeping such books and accounts.

SEC. 25. The Police Justices, or any acting Justices *pro tem.*, shall have jurisdiction over all cases arising under this Charter, and of the violation of any ordinance, or of any provisions of this Charter, subject to appeal, either by the city or defendant, to the St. Louis Court of Criminal Correction, in like manner as provided by law for appeals from Justices of the Peace in criminal cases to their appellate court, and power to punish all contempts of court, by fine not exceeding one hundred dollars, and by imprisonment not exceeding ten days; and power to enforce all legal orders and judgments, as a court of record may; and power to give final judgment against the principal and security on any forfeited bond or recognizance returnable to this court, subject to an appeal, as in other cases.

SEC. 26. The Police Justices shall be conservators of the peace through the city, and shall exercise the powers and perform the duties which may be prescribed by ordinance. The Justices of the Peace within the city shall have concurrent jurisdiction with the Police Justices in all cases under ordinances or Charter, when the Mayor shall direct prosecution before them.

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SEC. 27. The Municipal Assembly shall have power, from time to time, by ordinance, passed by a vote of two-thirds of the members elected to each House, to increase the number of Police Justices, who shall be appointed and hold office for a term of four years, as hereinbefore provided in reference to such Justices. Said Assembly shall, by ordinance, divide the city into judicial districts, and may, from time to time, alter the same, and may also give to the Justices of such districts exclusive jurisdiction of causes arising in their respective districts; and shall, by ordinance, provide for holding Police Courts whenever the Justice of any such court is disabled or disqualified by absence, sickness, or otherwise from holding the same; may authorize any other Police Justice or any Justice of the Peace of the city of St. Louis to hold such court and discharge the duties of such Justice during the continuance of his disability or disqualification, and shall also provide for the trial of causes pending in the Court of any Police Justice, in which said Justice may be a material witness, or in which he may be interested or of kin to the defendant. The Police Justices shall hold their Court in such places as may be provided by ordinance, and in the absence of and until such provision shall be made, they shall hold them at such places as the Mayor may direct.

SEC. 28. The Municipal Assembly shall, by ordinance, define the duties of all city officers, and may change, increase or diminish them in a manner not inconsistent with this Charter.

SEC. 29. The Commissioner of Supplies shall purchase all articles needed by the city in its several departments. The Municipal Assembly shall provide, by ordinance, for the purchase of all articles, so far as practicable, by advertising for proposals at stated periods. All purchases made by him without advertising for proposals shall be approved by the Comptroller before the same shall become binding on the city. In advertising for proposals to furnish supplies, quantity and quality of all articles shall be fully stated, and any bidder may bid for any one article named.

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The award for each article shall, in all cases, be made to the lowest bidder therefor. The Commissioner of Supplies shall furnish to the bidders printed blanks, which shall be filled up by the bidders with the price of the article to be furnished, and shall, in specifying the quantity and quality of any article, recite the advertisement. All bids shall be sealed, and opened at an hour and place to be stated in the advertisement for proposals, in the presence of as many of the bidders as may desire to be present, and shall be subject to the inspection of the bidders. All bids having any alteration or erasure upon them shall be rejected. All contracts shall be approved by the Mayor before they shall become binding upon the city.

SEC. 30. The Inspector of Weights and Measures shall at least once in each year, and as much oftener as may be ordained by the Assembly, inspect every scale, weight and measure used in the City of St. Louis, for the purpose of determining the quantity of merchandise sold or offered for sale. The Assembly shall, by ordinance, fix the fee to be paid for such inspection, for which a license shall be granted in every case by the Inspector, and all such fees he shall, monthly, report to the Comptroller, and daily pay into the city treasury. He shall keep a record of all scales and measures inspected by him, specifying date, place of inspection, and the names of the parties for whom the inspection is made. He shall receive a fixed salary for his services. No person within the City of St. Louis shall use any scale, weight or measure to determine the quantity of any merchandise sold or offered for sale, which shall not have been inspected and sealed by the said Inspector.

SEC. 31. The Marshal shall execute and return all processes and orders of the Mayor, Law Department, Health Department, Police Justices or Justices of the Peace, St. Louis Criminal Court and St. Louis Court of Criminal Correction, under any law or ordinance, except as in this Scheme or this Charter otherwise provided; he shall keep a detailed account of the receipts of all money collected by his

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office, and of all delinquencies, and shall report all receipts and delinquencies, monthly, to the Comptroller; he shall appoint, with the approval of the Mayor, such deputies as he may require.

SEC. 32. The City Counselor shall be the chief law officer of the city. He shall prosecute and defend all suits originating or pending in any court of record, except the St. Louis Criminal Court and St. Louis Court of Criminal Correction, to which the city is a party, or in which the city or any of its officers are officially interested; he shall advise either House of the Assembly or any committee thereof, in writing, when required, as to all legal questions that may arise before them. He shall advise the Mayor, and through him all other officers, in relation to their duties, or in relation to the interests of the city in which they are directly engaged, and from time to time make such reports in relation to the suits in which the city is interested as may be required by the Mayor or the Assembly. He shall have a superintending control over the business intrusted to the City Attorney, and when necessary he shall aid him in the discharge of the duties of his office, at the request of the Mayor.

## BOARD OF PUBLIC IMPROVEMENTS.

SEC. 33. The Board of Public Improvements shall meet at least once in each week at its office to consider and take under advisement such business as may come before it. Said Board shall furnish through its President to the Mayor, the Municipal Assembly or either branch thereof, such data and information as may be required, or which it may from time to time deem necessary to impart. A majority of said Board shall form a quorum for the transaction of business, but no final action shall be taken in any matter concerning the special departments of any absent Commissioner, unless this business has been made the special order of the day.

SEC. 34. The Commissioners named in Section 3 of this article shall be, respectively, the heads of their several

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departments, and shall be responsible for all actions of their employees.

SEC. 35. The Street Commissioner shall have under his special charge the construction, reconstruction, repairing and cleaning of the public streets, alleys and places, excepting parks.

SEC. 36. The Sewer Commissioner shall have under his special charge the construction, repairs and cleaning of all public, district sewers, inlets, manholes, and other appurtenances belonging thereto.

SEC. 37. The Water Commissioner shall have under his special charge the pumping machinery, reservoirs and water-pipes, and other property connected with the Waterworks. He shall have the superintendence over the enlarging of the works and the laying of water-pipe, and shall exercise a general supervision over the entire Waterworks department, excepting the collection of water rates.

SEC. 38. The Harbor and Wharf Commissioner shall have under his special charge the construction and repairs of dykes, wharf and levee, and shall be specially charged with the execution of all ordinances of the city which relate to dykes, wharf and levee, steamboats and all other boats, vessels and rafts. He shall furnish to the Collector such information as will enable the said Collector to collect wharfage and other dues from boats, vessels and rafts.

SEC. 39. The Park Commissioner shall have under his special charge and control all the public parks and places and squares of the city, excepting such as are by this Charter, or by their dedication or other special provisions in the nature of a contract, excluded from the control of the city.

SEC. 40. The Gas Commissioner shall have under his special charge and control all the property belonging to the city gas-works, and shall exercise a general supervision over the said works and the laying of all gas-mains and pipes, and erecting, repairing, lighting and cleaning street lamps.

SEC. 41. The President of the Board of Public Improve-

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ments shall preside at the meetings of the Board, and shall have charge of all the public improvements not specially provided for in this article. He shall have a general supervision over the departments of all other Commissioners of the Board of Public Improvements, and shall inform the Mayor or Municipal Assembly of any dereliction of duty of any commissioner. He shall authenticate all special tax-bills against property-owners chargeable with special taxes for work performed or materials furnished under ordinances of the city, which said bills shall be made out and certified to him by the head of the department under which said work is done or material furnished.

SEC. 42. The Municipal Assembly shall provide by ordinance such additional duties of and requirements from the Board of Public Improvements and its several members as it may deem necessary, and for the appointment by them of such assistants and employes as the demands of the several departments may require.

SEC. 43. Every officer of the city and his assistants, before entering upon the duties of his office, shall take and subscribe to an oath or affirmation before some Judge or Justice of the Peace or the Register, that he possesses all the qualifications prescribed for his office by this Charter; that he will support the Constitution of the United States and of the State of Missouri, and the Charter and ordinances of the City of St. Louis, and that he will faithfully demean himself in office. And every officer of the corporation, when so required by law or ordinance, shall within fifteen days after his election or appointment, and before entering upon the discharge of the duties of his office, give bond to the city in such sum as shall be designated by ordinance, conditioned for the faithful performance of his duties, and that he will pay over all moneys that belong to the city as provided by law. If any person elected or appointed to an office shall fail to take and subscribe such oath or affirmation, or give bond as herein required, his office shall be deemed vacant. For any breach of the condition of said

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bond, suit may be instituted thereon by the city, or by any person in the name of the City of St. Louis, for the use of such person or persons. The term "officers," whenever used in this Charter, shall include all persons holding any situation under the city government or its departments, with an annual salary or for a definite term of office; and the term "fiscal officers," whenever used, shall include all persons engaged in any relation in the collection and disbursement of the city's money. Any failure on the part of any city officer to pay into the treasury of the city the balance reported by the Auditor to be due from him to the city, upon the adjustment of his account, shall cause a forfeiture of his office, and such balance shall bear interest at ten per centum per annum from the time it should have been accounted for until it shall be paid into the treasury. The Mayor shall immediately order suit to be commenced in the proper court against the delinquent officer for such balance.

SEC. 44. All questions of difference between the officers of the city affecting their relative powers and duties may be referred by either of them to the Mayor, who shall examine and determine such questions, and his decision shall be final as between such officers.

SEC. 45. The Assembly shall have power, by ordinance, passed by a vote of two-thirds of the members elect of each House, to create any other office which it may deem necessary, and to provide for the manner of filling the same.

SEC. 46. The Mayor shall see that all contracts and agreements with the city are faithfully kept and performed, and to this end he shall cause legal proceedings to be instituted and prosecuted against all persons or corporations failing to fulfill their agreements with the city. And it is the duty of every city officer, when it shall come to his knowledge that any contract with the city relating to the business of any office has been violated by the other contracting party, forthwith to report the fact to the Mayor.

SEC. 47. The chief of every department shall report annually to the Mayor, and as often as may be required by him,



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and quarterly to the Comptroller, a full itemized account of all the money received and paid out by or through said department, and their books, papers and everything connected with their offices shall be open for examination and inspection by any member of either House of the Municipal Assembly, and the Mayor and Comptroller. All annual reports shall be submitted by the Mayor with his message to the Assembly.

SEC. 48. The Comptroller shall, at the opening of each stated session of the Assembly, submit his report of the financial condition of the city and of the business in his office, and therewith the reports of all other fiscal officers. His report shall contain his estimates of the receipts and of the necessary appropriations to meet all the wants of the current year. The report of the Auditor shall comprise full and complete tables of facts in relation to the receipts and expenditures of the revenues since his last annual report, and an exhibit of the condition of the several general and special revenue accounts, individual funds and other accounts on his books, and their balances. The Treasurer's report shall exhibit the amount of cash on hand at the date of the last annual report, the amount since received and paid out, respectively, on account of each class of funds, and what balance remains to the credit of each. The Collector's report shall embrace all his collections since his last annual report, from all the different sources, respectively, and the expenses of his office in detail. The Marshal's report shall state how much he has collected from fines, fees and penalties respectively, of all kinds, and how much from all other sources, and how much he has paid into the treasury, and also the expenses he has incurred and charged, and which were either deducted from his collections, or paid out of the treasury, and on what account in detail; also the amount of all uncollected bills of fines and fees. The report of the Board of Public Improvements shall set forth in detail the condition of the public works of the city, under appropriate headings, and description of each contract, the names of the contractors, the au-

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thority for and amount appropriated to each piece of work or contract, the amount paid thereon prior to the last annual report, the amount since, and an estimate of what is necessary to complete the same; how much, for what purpose, and under what authority expenditures have been made without written contract approved by the Assembly, and all other things in their department of interest to the administration or the public.

SEC. 49. The Commissioners on Charitable Institutions shall have a general visitatorial supervision over all penal and charitable institutions supported wholly or in part by the city. They shall have power, by an unanimous vote, to remove any appointed officer or employe of such institution, and shall, in case of such removal, notify the Mayor, and request him to fill the vacancy. The Mayor shall have no power to reappoint any person removed by the Commissioners.

SEC. 50. The Commissioners shall meet at least once in each month at their office in the City Hall, and shall visit all the institutions under their supervision at least once in each month. They shall recommend to the Assembly such ordinances as they may deem necessary for the welfare of the persons under their supervision, and in the interest of the city. They shall receive no pay for their services.

## ARTICLE V.

## REVENUE AND TAXATION.

## SECTION.

1. Municipal Assembly to levy and collect all taxes; rate of taxes in old and new limits.
2. Assembly may increase tax rate in extended limits.
3. Enforcement of taxes.
4. Licenses, wharfages and other dues.
5. Blank licenses, tickets, etc., how issued.
6. Classification of taxes, etc.
7. Payments into city treasury.
8. Settlements of fiscal officers.
9. Appropriations.
10. Limitation of appropriations.
11. Payments out of city treasury.
12. All ordinances authorizing disbursements to be indorsed by Comptroller.
13. Unadjusted accounts, how certified, etc.
14. All expenditures, etc., must be by ordinance.
15. Board of Assessors; Assembly to establish assessment districts.
16. Official bonds of assessors; duties of district assessors; when assessments shall commence and end, etc.
17. Qualifications of assessors.
18. Duties of President of Board of Assessors; shall be accountable for all plats, books, etc., belonging to office; may appoint clerks and deputies; personal attendance in office required.

## SECTION.

19. Assessment books, how made up.
20. Public notice to be given of completion of books.
21. Duty of Recorder of Deeds in reference to conveyances.
22. Property not laid off into blocks, etc., to be assessed as agricultural lands.
23. Costs of assessments, how paid.
24. Board of Equalization, its organization and duties.
25. Record of proceedings.
26. Abstract of corrected assessments to be sent to Mayor and State Auditor; State, school and city tax-bills, how prepared; duty of Comptroller in reference to tax-bills and assessment books.
27. Ordinance fixing percentage of taxes.
28. Comptroller to correct manifest errors in assessments.
29. Authority of Comptroller as to delinquent taxes, etc.
30. Bond of City Collector.
31. Collector to collect all revenues except water rates.
32. Rebate on tax-bills.
33. Authority of Collector to appoint deputies.
34. City Collector to perform all duties discharged by County Collector.

SECTION 1. For the support of the government of the city, the improvement thereof, and the payment of the public debt, the Municipal Assembly shall, by ordinance, annually levy and collect taxes on all subjects and objects of taxation,

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and all property within the city made taxable by law for State purposes; and shall establish the rates thereof, as follows, to-wit: On that portion of the city lying east of the present boundary as now laid out, on the assessed valuation thereof, a sum not exceeding one per centum for municipal purposes; and for the payment of the valid indebtedness of the city, existing on the thirtieth day of November, 1875, as also that of the County of St. Louis existing at the time this Charter and Scheme go into operation, only such per centum as may be required to pay the interest thereon: *Provided, however,* That the foregoing limitations of per centum for the payment of the public debt shall not debar the said assembly from increasing the same from time to time, when the improved condition of tax-payers will justify such increase, in order to gradually reduce said debt. On that portion of the city denominated "extended limits," lying west of and between the present boundary line, and the boundary line established by this Scheme and Charter, a sum not exceeding four-tenths of one per centum for municipal purposes, and one-tenth of one per centum for the payment of interest on the valid indebtedness existing as aforesaid.

\*SEC. 2. The Municipal Assembly shall, from time to time, by ordinance, increase the rate of taxation prevailing now in the new city limits over so much of the territory embraced in the new city limits as it may deem expedient and as may be designated in said ordinance.

SEC. 3. The payment of all taxes for the city shall be enforced in the same manner and under the same rules and regulations as may be provided by law for collecting and enforcing the payment of State taxes.

SEC. 4. The Assembly shall also provide by ordinance for the levy and collection of all other taxes, licenses, wharf-ages, and other dues of every description, and to fix the

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\* This section is an amendment to the Charter adopted at the Charter Amendment Election, held on February 28, 1898.

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penalties for neglect or refusal to pay the same according to law and ordinance.

SEC. 5. All blank licenses, tickets, receipts, permits, certificates or other blank forms which are intended to facilitate or simplify the collection of the revenue, shall be issued by the Register under the seal of the city, and delivered and charged to the Comptroller, who shall countersign and deliver them to the proper officers respectively and take duplicate receipts therefor, one of which shall be filed with the Auditor.

SEC. 6. All taxes collected for municipal purposes, from all sources whatever, shall be designated "Municipal Revenue," and the taxes collected for the payment of the public debt shall be designated "Interest and Public Debt Revenue," and the latter shall always be kept distinct from other revenues and held sacred for the payment of interest and the valid indebtedness of the City of St. Louis, existing on the thirtieth day of November, 1875, and of the County of St. Louis, existing at the time this Charter goes into operation, and the bonds issued for the renewal thereof, and for no other purposes whatever.

SEC. 7. All collections of public money on account of the city shall be paid into the city treasury and triplicate receipts taken therefor, showing from what source the money is derived and the account to which it is placed, one of which shall be filed with the Auditor, and one with the Comptroller.

SEC. 8. The settlements of all officers engaged in collection of the revenues shall be adjusted by the Comptroller, and by him certified to the Auditor, at least monthly, and oftener if required by the Mayor, and all blanks not used shall be returned by the Comptroller to the Register for cancellation.

## APPROPRIATIONS.

SEC. 9. The appropriations of the Municipal Assembly for the payment of interest, for the payment of the public

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debt, for public improvements, and for the support of the city government during any one fiscal year, shall be in conformity with the requirements of the Constitution of the State.

SEC. 10. No appropriation shall be made from any revenue fund in excess of the amount standing to the credit of such fund; nor shall it be made for the purposes to which the money therein is not applicable by law.

SEC. 11. No money shall be paid out of the treasury except on the Auditor's warrant, and no warrant shall be issued on any appropriation, unless there is an unexpended balance to the credit thereof sufficient to cover such warrant, and money in the treasury to pay it.

SEC. 12. All ordinances that contemplate the payment of any money shall, upon their second reading, be referred to the appropriate committee, who shall obtain the indorsement of the Comptroller thereon to the effect that sufficient unappropriated means stand to the credit of the fund therein named, to meet the requirements of said ordinance, or it shall not be lawful to recommend its passage, or pass the same: *Provided*, That no claim shall be paid without the approval of the Auditor.

SEC. 13. All unadjusted accounts, before they are audited, must be certified by the officer having knowledge of the facts, and the Auditor and Comptroller may allow them, or in case of their disagreement, then by either of them and the Mayor; and all accounts thus allowed shall be paid as directed in this article. All audited accounts shall be registered in the Comptroller's office, and filed and preserved as vouchers in the Auditor's office.

SEC. 14. No money shall be expended, nor shall any improvement be ordered involving an expenditure of money, except by ordinance, the provisions of which shall be specific and definite.

## ASSESSMENT OF PROPERTY.

SEC. 15. The City of St. Louis shall be assessed, in accordance with the general laws, by a Board of Assessors,

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consisting of a President of the Board, to be elected by the qualified voters of the city, and one Assessor from each assessment district, who shall be appointed by the Mayor and confirmed by the Council, and the Municipal Assembly shall lay off the city into convenient assessment districts, and shall have power to alter and change the same, as necessity or convenience may require.

SEC. 16. The President of the Board and each of the District Assessors, before entering upon their official duties, shall give bond and security to the State, to the satisfaction of the Mayor, with three or more solvent securities, freeholders of the city; the said President in a sum not less than twenty thousand dollars, and the said District Assessors each in a sum not less than two thousand dollars, the amount to be fixed by ordinance, conditioned for the faithful performance of the duties of their office, which bonds shall be executed in duplicate, one of which shall be forwarded to the State Auditor, and the other be deposited with the Register of the City of St. Louis. It shall be the duty of the District Assessors to assess the property within the districts for which they were appointed, under the direction and superintendence of the President, in the manner provided by law. They shall commence their assessment on the first day of June\* in each year, and complete the same and make their final report to the President on or before the first Monday in January following. Each report shall be verified by the affidavit thereto of the Assessor making it, that he made the assessment contained in his report impartially and correctly, to the best of his ability and judgment, and uninfluenced by fear of or favor by, or toward any one.

†SEC. 17. The President of the Board of Assessors shall be of the age of at least thirty years, and have been a resi-

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\* Act of March 24, 1881, Laws of 1881-2, p. 178.

† The provision originally contained in section 17, requiring the President of the Board of Assessors, and each district Assessor, to be a freeholder, was repealed by section 4387 of the Revised Statutes and is omitted.

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dent within the city for at least seven years next before his qualification; and each District Assessor shall have been a resident within the city for at least five years next before his qualification, or competent for his duties from actual service as an Assessor of real estate in the City of St. Louis for taxation.

SEC. 18. It shall be the duty of the President of the Board to superintend the work of the District Assessors and the assessment of the entire city, to see that they faithfully discharge their duty, and, as far as possible, make the assessment uniform and equal throughout the city. He shall take the entire charge of the Assessor's office, and all maps, plats, books, papers and furniture, etc., belonging to the said office. He shall be accountable for all such plats, and shall not permit any one of them, under any pretence whatever, to be removed from the office except those which may be required by the District Assessors for the assessment of their allotted districts. He shall use all proper care and diligence to preserve all maps, plats, books and papers belonging to the office from injury, and shall hold the District Assessors responsible for the return, in good condition, of all plats that may be furnished to them. He shall alter and correct the office plats, and all plats used by the District Assessors, as required by law. He shall furnish the District Assessors with all plats, blanks, stationery, instructions, and all information that may be needed by them for the proper assessment of their respective districts. He shall receive the return of property of those upon whom the District Assessors have ordered notice, except in those cases where the District Assessors make personal service, and shall administer the oath required by law. He may appoint one or more of the clerks in his office as deputies, and he or they shall be authorized to administer the oath. He shall furnish paper, blanks and all necessary information to persons desiring to make appeal from the assessment of the District Assessors. He shall, in person, be at his office every working day during office hours, except when engaged



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in his duties as Assessor, or absent on leave, and shall furnish information on all matters pertaining to the assessment of property.

SEC. 19. When the District Assessors shall have completed their assessments, said President of the Board shall make up the assessment books in proper alphabetical order from the plats and returns made by said District Assessors, from the return of property-holders to the Assessor's office, and from the best information he can otherwise obtain, so that said assessment books shall be as nearly as possible a full and complete assessment of all taxable property in the city, the same to be completed on or before the third Monday in March of each year.

SEC. 20. As soon as said books are completed, the President of the Board shall give one week's published notice in the daily newspapers—one of which shall be printed in German—that said books are open for inspection, and stating the time when the Board of Equalization will be in session.

SEC. 21. The Recorder of Deeds of the City of St. Louis is hereby required to deliver to the President of the Board of Assessors, from day to day, when required of him, and the day after the same shall have been recorded and compared, all deeds and other instruments in writing, filed in his office, by which any change of ownership is made in any of the real estate of the City of St. Louis, and the President of the Board shall, without unnecessary delay, make such changes upon the plats in his office as said deeds and other instruments may require, and forthwith return such deeds and other instruments to said Recorder.

SEC. 22. Lands within the limits of the city, which have not been laid off into blocks or lots, shall not be assessed or taxed otherwise than by the acre as agricultural lands, and shall continue to be so assessed and taxed until laid off into blocks or lots by the owners thereof respectively.

SEC. 23. All the costs and expenses of the assessment shall be allowed and paid by the City of St. Louis in the same manner as other demands against the city are allowed.

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and paid, and when the aggregate for each year's assessment shall have been ascertained, the Auditor of St. Louis shall certify the same to the State Auditor, whose duty it shall be to draw his warrant in favor of the City of St. Louis for one-half of said assessment, as provided by law.

## BOARD OF EQUALIZATION.

SEC. 24. There shall be a Board of Equalization, consisting of the President of the Board of Assessors, who shall be President thereof, and four discreet and experienced real estate owners of the City of St. Louis, of a prior residence therein of ten years, who shall be appointed by the Judges of the Circuit Court of the Eighth Judicial Circuit, on the second Monday of March annually. The duty of said Board shall be to adjust, correct and equalize the valuation of real estate and personal property in said city. It shall meet on the third Monday in March annually, and shall remain in session for four weeks, if business requires it, and no longer. Said Board shall hear and determine all appeals in a summary manner, shall adjust and correct the assessment books accordingly, shall determine as far as possible whether the property has been assessed at the true cash value, and in just proportion to the assessed value of the other property in the city similarly situated, and to this end shall increase or diminish the assessment on any property, real or personal, or mixed. If they propose to increase the assessment in any case, they shall cause notice thereof to be served upon the owner, agent or representative thereof, if within the city, who shall have the right to be heard upon such proposed increase. The said Board shall have power to send for persons or papers, and to compel the attendance of witnesses, and to this end the Sheriff of the city shall execute such process as may be issued by it. The majority of said Board shall constitute a quorum, and a majority of those present shall determine all matters of appeal or revision, or correction of values. The compensation of the

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members of the Board shall be fixed by ordinance, but the President shall receive no compensation as such member. The members of such Board, before entering upon the duties of their office, shall take and subscribe an oath similar to that required of County Boards of Equalization.

SEC. 25. Said Board shall keep a complete record of all its proceedings and deliver the same to the said President to be kept as a record in his office.

SEC. 26. After the assessment books have been corrected, the President of the Board shall make out a fair copy of the same, and shall make an abstract of said books, showing the amount of the several kinds of property assessed, and specifying the amount of value of all property within the present boundary line of the city, the amount of value of all property in the extended limits, and the aggregate valuation of all property within the city limits as established by this Charter, and add thereto his certificate that the same contains a true and correct list of all taxable property of the City of St. Louis so far as he has been able to ascertain the same. One copy of the abstract, verified by his oath, shall be delivered on or before the fourth Monday in May to the Mayor of St. Louis, and another copy to the State Auditor. He shall add upon the assessment books the State and school taxes required by law to be levied, and also add, in accordance with a certified copy of an ordinance from the Municipal Assembly, all municipal taxes set forth in said ordinance, and shall then cause to be made out tax-bills against the persons assessed, setting forth in said bills the name of the person, the description of the property, and the several taxes thereon, the name of the owner, lessee or agent of the property assessed, and their number or place of residence or business, and such other information as may facilitate the collection of such tax-bills. He shall deliver said bills, with an abstract of the same and with a copy of the assessment books, to the Comptroller, who shall compare said bills with the abstract, test the footings thereof, and then shall officially stamp said bills and deliver the same, with the abstract, to the Collector and take his separate re-

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ceipts therefor, *first*, for the aggregate of said bills; *second*, for the amount of the State taxes, which last receipt the said Comptroller shall transmit to the State Auditor.

SEC. 27. On or before the fourth Monday in May in each year, the Municipal Assembly shall cause to be delivered to the President of the Board of Assessors, a certified ordinance establishing the percentage of taxes for the current year.

SEC. 28. The City Comptroller is authorized and empowered to hear and determine all allegations of manifest errors in the assessment of lands for taxes, and in all cases when it shall appear that lands have been erroneously taxed, and the said Comptroller shall cause the same to be corrected on the assessment books, and shall certify to the State Auditor all such corrections to be credited to the Collector.

SEC. 29. And the said Comptroller is further authorized and empowered to discharge all the duties and perform all the acts within the city limits, in regard to the "land delinquent list," the "sale of land for taxes," and all other matters relating to the assessment books and tax-bills, that are imposed on the County Court in the General Law.

## COLLECTION OF TAXES.

SEC. 30. The Collector of the City of St. Louis, before entering upon the discharge of the duties of his office, shall give bond and security to the State, to the satisfaction of the Mayor, in a sum provided by law and ordinance, conditioned that he will faithfully and punctually collect and pay over all State, school, municipal and other revenues, during the time he shall be in office, and that he will, in all things, faithfully perform all the duties of the office of Collector according to law. The official bond required in this section shall be signed by at least five solvent securities, freeholders within the city, and be executed in duplicate, one of which shall be deposited with the Register, and the other transmitted by the Register to the State Auditor, who shall carefully examine the same, and if it appears to his satisfaction

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that the bond is insufficient, he and the Mayor shall require such Collector to give additional bond, and if he fail to give such additional bond within ten days after he shall have been notified, his office shall be declared vacant. Said bond, when approved and recorded, shall be a lien against the real estate of such Collector until he shall have complied with the conditions thereof. If the Collector shall neglect or refuse to give such bond for fifteen days after his election, his office shall be declared vacant, and an election shall be ordered to fill the vacancy.

SEC. 31. The Collector shall collect all revenues derived from all other sources, which may be levied by law or ordinance within the City of St. Louis, except water-rates, and keep a detailed account of all his collections, from all the different sources of revenue and taxation respectively. All collections made belonging to the city shall be paid into the city treasury daily, and triplicate receipts taken therefor, showing from what the money proceeds, and the account to which it is placed, one of which shall be filed with the Auditor, and one with the Comptroller.

SEC. 32. On all tax-bills for real and personal property, on the assessment books, which shall be paid to the Collector, on or before the first day of October in each year, allowance or rebate shall be made on the city taxes on said bill, to the person or persons making such payments, at the rate of eight per centum per annum from the date of such payment to the 31st of December following, and the amount of such allowance or rebate shall be credited to the account of the Collector, and charged to the respective revenue accounts.

SEC. 33. The Collector may appoint deputies, by an instrument in writing duly signed, and may also revoke any such appointment at pleasure, and may require bonds or other securities from such deputies to secure himself; and each such deputy shall have like authority in every respect to collect the taxes levied or assessed within the city or any part thereof which by law is vested in the Collector himself;

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but the Collector shall, in every respect, be responsible to the State, city, individuals, companies and corporations, as the case may be, for all moneys collected, and for every act done by any of his deputies whilst acting as such, and for any omission of duty by such deputy. Any bond or security taken from a deputy by the Collector shall be available to such Collector, his representatives and securities, to indemnify them for any loss or damage arising from any act of such deputy.

SEC. 34. The said Collector is authorized, empowered and directed to discharge all the duties and perform all the acts in relation to the collection of the revenue, within the city limits, that the County Collector is now required and authorized by law to do.

## ARTICLE VI.

## PUBLIC IMPROVEMENTS—STREET OPENINGS.

## SECTION.

1. General plan for location and graduation of streets; all plats of sub-divisions to be submitted to Board of Public Improvements; duty of Recorder of Deeds in reference to such plats; regulations respecting lines of new streets, etc.
2. Condemnation of private property for public use; form of petition; Commissioners to assess damages; parties defendant.
3. Notice to defendants; process to be serve by City Marshal; notice by publication.
4. Court to appoint three Commissioners to assess damages.
5. Duty of Commissioners as to damages and benefits; assessments of benefits to be a lien against property; opening of alleys.
6. Report of Commissioners to be made under oath.
7. Report may reviewed on exceptions; Court may order new appraisement, etc.
8. Cost of proceedings.
9. Report of Commissioners to be submitted to Assembly; right of city to withdraw proceedings etc.
10. Final action of Court to be reported to Comptroller, who shall furnish copy to Assembly; appropriation to pay damages; failure to appropriate to operate as a bar for ten years.
11. Damages to be paid into Court when title is in dispute; improvement to proceed when damages shall have been paid or tendered.
12. Condemnation of property for particular uses.
13. Board of Public Improvements to regulate water and gas connections.
14. Board of Public Improvements to recommend all street improvements; public notice to be given; action of Board on remonstrances, etc.

## SECTION.

15. Form of ordinances recommended by Board; streets must be established or dedicated before improvements are ordered; annual contracts for public work.
16. Vote of Assembly on improvement bills.
17. Ordinances for the repair and cleaning of streets, etc., to be recommended by Board.
18. Apportionment of cost of improvements; the portion to paid by the property-owners and city respectively; special taxes not to exceed twenty-five per cent. of assessed value.
19. Nuisances caused by public works to be abated by city; damages by change of grade to be paid by city.
20. Classification of sewer system.
21. Board of Public Improvements to approve sewer improvements; public Sewers not to traverse private property except when unavoidable.
22. Board to approve district sewer improvements; authority of Assembly in reference to same; special taxes for district sewers; repairs to be paid by city.
23. Private sewers; city to be at no expense for same.
24. Special tax-bills, how made out
25. Special tax-bills to be a lien on property; manner of collecting same; city not to be liable for special tax-bills, etc.
26. Satisfaction of special tax-bills; how entered, etc.
27. Assembly forbidden to contract for public work; Board of Public Improvements to award contracts subject to approval by Council; securities on contractors' bonds.
28. Improvement ordinances to contain specific appropriation; suspension of work on contracts; Board to examine complaints of citizens against contractors, etc.
29. Street sprinkling.

## PUBLIC IMPROVEMENTS—STREET OPENINGS.

SECTION 1. The Assembly shall, by ordinance, establish a general plan for the location and graduation of the streets within the city, and in all subdivisions of property hereafter made by the respective owners, they shall conform their streets to said general plan; and in all cases where the lands of the city are hereafter subdivided or laid out into lots, sublots or blocks, streets or alleys, or where new streets or public grounds are donated or granted to the public by any proprietor, in order to secure a uniform plan in the laying out of streets and alleys, the map or plat thereof shall be submitted to the Board of Public Improvements, who shall indorse thereon that the same is in accordance with the said general plan of the city, if the fact be so; and no such map or plat shall be recorded in the Recorder's office of the City of St. Louis, or have any validity until so indorsed. It shall be the duty of the Recorder of Deeds to enforce this clause before any person shall be permitted to record any sales in subdivisions made contrary to such general plan; and in every case of failure to so enforce it the Recorder shall be subject to a penalty of one hundred dollars; and the city shall not be liable for damages to any building or improvement erected on a proposed street or alley after said map or plat is recorded. Said plan shall provide that no streets running east and west shall be distant from each other less than two hundred and twenty feet, except where they are continuations of the streets already opened to the river front, and that no streets running north and south shall be distant from each other less than five hundred feet; that no streets already opened shall be extended, where such street, when extended, shall be nearer than two hundred and twenty feet to a street already opened, where the street runs east and west, and nearer than five hundred feet where the streets run north and south, except upon the unanimous recommendation of the Board of Public Improvements, submitted in writing to the Assembly, and by it approved: *Provided*, That all plats of additions now recorded in the office of Recorder of Deeds shall not be affected by the provisions of this article.



## PUBLIC IMPROVEMENTS—STREET OPENINGS.

SEC. 2. Whenever the Assembly shall provide, by ordinance, for establishing, opening, widening or altering any street, avenue, alley, wharf, market place or public square, or route for a sewer or water-pipe, either on the unanimous recommendation of the Board of Public Improvements, or on the petition of the owners of a major portion of the ground fronting thereon, and it becomes necessary for that purpose to appropriate private property, the City Counsellor, in the name of the City of St. Louis, shall apply to the Circuit Court of the Eighth Judicial Circuit, or to any one of the judges in vacation, by petition setting forth the general nature of the improvement proposed to be made, the names of the owners of the several lots or parcels of land, if known, or if unknown, a correct description of the parcels whose owners are unknown, and praying the appointment of three disinterested commissioners, freeholders of property in said city, to assess the damages which said owners may severally sustain by reason of the appropriation and condemnation of such real estate by the city, for any of the purposes aforesaid, to which petition the owners of all such lots or parcels of land embraced in the proposed improvement shall be made parties defendant by name, if the names are known, and by description of the land of unknown owners. If the proceedings seek to affect the lands of persons under guardianship, the guardians must be made parties defendant; if the lands of married women, their husbands must be made parties defendant. If the possessor of land to be affected has an estate less than a fee, the person having the next vested estate in remainder or reversion must, if known, be made a party defendant. It shall not be necessary to make any persons parties defendant in respect to their ownership unless they are in actual possession of the premises to be affected, or have a title to the premises appearing of record upon the proper records of the city.

SEC. 3. Upon the filing of the petition, a summons shall be issued, giving such defendants at least ten days' notice of the time when said petition will be heard, which summons

## PUBLIC IMPROVEMENTS—STREET OPENINGS.

shall be served by the Marshal—who shall, for such purpose be *ex-officio* an officer of the Circuit Court—in the same manner as writs of summons are, or may be, by law, required to be served. If the name or residence of the owner be unknown, or if the owners, or any of them, do not reside within the State, notice of the time of the hearing the petition, reciting the substance of the petition, and the day fixed for the hearing thereof, shall be given by publication for four weeks, consecutively, prior to the time of the hearing the petition, in the newspapers publishing the Journal of the Assembly.

SEC. 4. The court, or a judge thereof, in vacation, on being satisfied that due notice of the pending of the petition has been given, shall appoint three disinterested commissioners, freeholders of property in said city, and residents of the city for five years next preceding their appointment, to assess the damages which the owners of the land may severally sustain by reason of such appropriation.

SEC. 5. It shall be the duty of the commissioners to ascertain the actual value of the land and premises proposed to be taken, without reference to the projected improvement and the actual damages done to the property thereby, and for the payment of such values and damages to assess against the city the amount of benefit to the public generally, and the balance against the owner or owners of all property which shall be especially benefited by the proposed improvement in the opinion of the commissioners, to the amount that each lot of said owner shall be benefited by the improvement. The sums to be paid by the owners of property especially benefited by the improvement, as ascertained by the commissioners, shall be a lien on the property so charged, and shall be collected as provided by ordinance, and when collected shall be paid into the city treasury as a separate fund to be used exclusively for the payment of the damages awarded: *Provided, however,* That in the opening of an alley the benefits shall be paid by the owners of property in said block abutting on the proposed alley.

SEC. 6. When the commissioners shall have viewed the

**PUBLIC IMPROVEMENTS—STREET OPENINGS.**

property, and assessed the value and damages and benefits, they shall make their return of such assessment in writing and under oath, to the Circuit Court, which shall be filed by the clerk thereof. In making such report, the value and damages allowed to each owner and the benefits assessed against each individual shall be separately stated.

SEC. 7. The report of said commissioners may be reviewed by the Circuit Court on written exceptions filed by either party, in the clerk's office, within ten days after the filing of such report, and the court shall make such order therein as right and justice may require, and may order a new appraisement upon good cause shown; but the hearing of such exceptions shall be summary, and the court shall fix a day therefor without delay, upon the filing of any such exceptions, or within ten days after the expiration of the time given said city to report the same to the Assembly as hereinafter provided.

SEC. 8. The cost of proceedings, up to and including the filing of the report of the commissioners, shall be paid by the city, and as to any cost caused by subsequent litigation, the cost shall be paid by the losing party. The commissioners may be allowed a reasonable compensation for their services.

SEC. 9. Upon the report of said commissioners being filed in the Circuit Court, or with the clerk thereof, the court shall give to the City of St. Louis, upon application of the City Counselor, reasonable time to report the result of the same to the Assembly for its information and approval, during which time no action will be had in or by said court upon said report; and the City of St. Louis shall have the right, at any time before the final confirmation of said report, to dismiss and withdraw said proceedings on payment of the costs thereof. Should the city dismiss or withdraw any proceedings for condemnation after the report of the commissioners has been filed, no action for such condemnation shall be had for a period of ten years next thereafter, unless upon the petition of the owners of three-quarters of the property

## PUBLIC IMPROVEMENTS—STREET OPENINGS.

fronting on the line of the proposed improvement, or upon payment, by the city, of the entire value and damages, such as aforesaid.

SEC. 10. When the report of the commissioners shall have been approved, or final action taken thereon by the court, the clerk of the Circuit Court shall make a certified copy of the report, and the final action of the court thereon, and deliver the same to the City Comptroller, who shall forthwith record the same in a book to be provided for that purpose. It shall be the duty of the Comptroller, as soon as the same is recorded, to furnish a copy thereof to the Assembly, and the Assembly shall, at its first session thereafter make an appropriation for the payment, out of the city treasury of all damages assessed in favor of the owners of property appropriated, and the City Treasurer shall cause the same to be paid to the parties entitled thereto, respectively, or into court for their use, as provided by ordinance. Any failure of the Assembly, within the time above stated, to make such appropriation, shall operate as a dismissal of such proceedings, and no future action for such condemnation shall be commenced for a period of ten years, except as hereinbefore provided in case of a dismissal by the city.

SEC. 11. If the ownership of property condemned be in controversy, the amount of the damages assessed for said property shall be paid into court, for the use of the successful claimant of the property: *Provided, however,* That as soon as the damages assessed shall have been paid or tendered to the parties entitled thereto respectively, the improvement may be proceeded with.

SEC. 12. When it becomes necessary for the city to condemn private property for other and different public uses than those already specified in this article, the Assembly shall pass an ordinance to that effect, which shall set forth the purposes for which said property is required, and to which it shall be especially dedicated. The value and damages of said property shall be ascertained in the same manner as directed in this article in the case of opening streets, and

**PUBLIC IMPROVEMENTS—STREET OPENINGS.**

the same shall be paid by the city to the owner or owners of said property.

SEC. 13. The Assembly shall provide, by ordinance, that all connections with water or gas pipes shall be made subject to such regulations as the Board of Public Improvements may from time to time establish, and that before any such connections are made a permit shall be procured from said Board.

**CONSTRUCTION OF STREETS AND ALLEYS.**

SEC. 14. No ordinances for the construction or reconstruction of any street, alley or public highway of the city, shall be passed unless recommended by the Board of Public Improvements, as hereinafter provided. The Board may, of its own motion, and upon the petition of any reputable freeholder of property on any street, alley or highway, shall, designate a day on which they will consider the improvement of such street, alley or highway, and shall give two weeks' public notice in the papers doing the city printing of the time, place and object of their meeting. On such day, if the owners of a major part of the property on the line of the proposed improvement shall remonstrate against the same, the Board shall consider such remonstrance, and if said Board shall by a unanimous vote of all its members approve such proposed improvement, they shall cause an ordinance for the same to be prepared, and report the same, with the reasons for their action and the remonstrance, to the Assembly. If such majority of the property-owners fail to remonstrate, or shall petition said Board for such improvement, the Board may by a vote of the majority of its members approve the same, and shall cause an ordinance to be prepared and reported to the Assembly therefor.

SEC. 15. All ordinances recommended by said Board shall specify the character of the work, its extent, the material to be used, the manner and general regulations under which it shall be executed, and the fund out of which it shall be paid, and shall be indorsed with the estimate of the cost

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thereof: *Provided*, That no improvement or repairs shall be ordered upon any future street, alley or highway, which shall not have been opened, dedicated or established according to the provisions of this Charter and law; *and provided further*, That nothing in this article shall be so construed as to prevent the Board of Public Improvements, through the proper officer thereof, from annually letting and entering into contracts on the first day of July of every year for the grading, constructing, reconstructing and repairing of sidewalks and repairing street, alley and gutter paving and such other similar work, which may be ordered by ordinance, or may become necessary to be done during the year.

SEC. 16. Upon the recommendation of any ordinance by the Board of Public Improvements, the Assembly shall have the power, when such ordinance shall be accompanied by a remonstrance as hereinbefore provided, by a vote of two-thirds of the members elect of each House, and in all other cases by a vote of a majority of the members elect of each House, to pass such ordinance, and order the making of such improvement.

SEC. 17. The Board of Public Improvements shall recommend to the Assembly ordinances for the repairing and cleaning of all streets, alleys and highways, and for the construction of crosswalks, and no ordinance therefor shall be passed without such recommendations.

SEC. 18. The cost of construction of all the foregoing improvements within the city shall be apportioned as follows: The grading of new streets, alleys, and the making of crosswalks, and the repairs of all streets and highways and cleaning of the same, and of all alleys and crosswalks, shall be paid out of the general revenue of the city; and the paving, curbing, guttering, sidewalks, and the materials for the roadways, the repairs of all alleys and sidewalks, shall be charged upon the adjoining property as a special tax, and collected and paid as hereinafter provided. Whenever the estimated special taxes to be assessed against any property shall in the aggregate amount to more than twenty-five per

## PUBLIC IMPROVEMENTS—STREET OPENINGS.

cent. of the assessed value of said property, calculating a depth to such property of one hundred and fifty feet, then the Assembly shall provide out of the general revenue for the payment of the amount in excess of the said twenty-five per cent. The Board of Public Improvements shall notify the Assembly whenever an ordinance is pending which requires an appropriation out of the general revenue to pay a part of the cost of the improvements therein contemplated.

SEC. 19. Whenever a nuisance is caused upon private property by any work or improvement done by and for the city, the same shall be abated at the expense of the city; and whenever a grade of the street is fixed by the city and an improvement shall have been made in conformity thereto, if the city shall thereafter alter such grade to the damage of such improvement, the city shall indemnify the owner of the improvement for such damage.

## SEWERS.

SEC. 20. A sewer system is hereby established, which shall be divided into three classes, viz.: "Public," "District" and "Private" sewers.

SEC. 21. Public sewers shall be established and constructed along the principal courses of drainage, at such times, to such extent, of such dimensions and material, and under such regulations as may be provided by ordinance, to be approved by the Board of Public Improvements, and there may be constructed such branches to sewers already constructed, or to be constructed, as may be considered expedient by said Board: *Provided*, That no sewer shall be run diagonally through private property when it is practicable to construct it parallel with lines of such property, nor shall any public sewer be constructed through private property when it is practicable to construct it along a street, alley or public highway. An appropriation shall be made to meet the cost of each public sewer from the public revenue.

SEC. 22. District sewers shall be established within the

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limits of districts, to be prescribed by ordinance, as approved by the Board of Public Improvements, and so as to connect with a public sewer, or some natural course of drainage. Such district may be subdivided, enlarged or changed, upon the recommendation of said Board, by ordinance, at any time previous to the construction of the sewer therein. The Assembly shall cause sewers to be constructed in any district whenever a majority of the property-holders resident therein shall petition therefor, or whenever the Board of Public Improvements shall recommend it as necessary for sanitary or other purposes; and the character, dimension and material of such sewer shall be prescribed and may be changed, diminished, enlarged or extended, and such sewer shall possess all requisite laterals, inlets and other appurtenances. As soon as a district sewer, with its inlets, manholes and other appurtenances is fully completed, the said Board shall cause to be computed the whole cost thereof, and shall assess it as a special tax against all the lots of ground in this district respectively, without regard to improvements, and in proportion as their respective areas bear to the area of the whole district, exclusive of the public highway; and the Board shall cause to be made out a certified bill of such assessment against each lot in the district, in the name of the owner thereof, which shall be collected and paid in the manner hereinafter prescribed: *Provided*, That the repairs and other incidental expenses of district sewers shall be paid out of the general revenue.

SEC. 23. Private sewers, connecting with the public and district sewers, may be constructed under such restrictions and regulations as the Assembly may prescribe, by general or special ordinance, approved by the Board of Public Improvements; but the city shall be at no expense in the construction, repairing or cleaning of the same.

SEC. 24. All special tax-bills for work contemplated by this Charter shall be made out by the President of said Board, and by him registered in his office in full, and certified and delivered to the Comptroller, and his receipt taken therefor,



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and by him registered and countersigned and delivered to the party in whose favor it is issued for collection, and his receipt taken in full of all claims against the city on account of said work.

SEC. 25. Said tax-bill shall be and become a lien on the property charged therewith, and may be collected of the owner of the land, in the name of and by the contractor, as any other claim in any court of competent jurisdiction, with interest at the rate of ten per cent. per annum, after thirty days from demand of its payment date; and, if not paid within six months after such demand, then at the rate of fifteen per cent. per annum from the date of said demand. In case the owner of the ground is a non-resident of the State, suit may be brought by attachment, which shall be a demand of its payment. Such certified bill shall in all cases be *prima facie* evidence that the work and material charged in such bill shall have been furnished, and of the execution of the work, and of the correctness of the rates or prices, amount thereof, and of the liability of the person therein named as the owner of the land, charged with such bill, to pay the same: *Provided*, That nothing in this section shall be so construed as to prevent the party charged with the payment of said bill from pleading, in reduction of the amount of same, that the work therein mentioned was not done in a good and workmanlike manner; *and provided*, That if the party charged shall set up, by way of defence, that the work was not done in a workmanlike manner, according to the class of work mentioned in the contract, and that such party, before the commencement of the suit, tendered to the contractor the full value of such work as done, and shall establish the same on the trial, the recovery shall only be for the amount so tendered, and judgment for costs shall be rendered against the plaintiff. The city shall not be liable, in any manner whatever, for or on account of any work done which is to be paid for in the manner provided in this section.

SEC. 26. Whenever any such special tax-bill issued heretofore, or hereafter to be issued, shall be paid, it shall be en-

## PUBLIC IMPROVEMENTS—STREET OPENINGS.

tered "satisfied" on the register in the Comptroller's office; and any bill that is not entered "satisfied" within two years after its date, unless proceedings in law shall have been commenced to collect the same within that time, and shall be still pending, the lien shall be destroyed and of no effect against the land charged therewith.

SEC. 27. The Assembly shall have no power directly to contract for any public work or improvement, or repairs thereof, contemplated by this Charter, nor to fix the price or rate therefor; but the Board of Public Improvements shall, in all cases, except in case of necessary repairs requiring prompt attention, prepare and submit to the Assembly estimates of costs of any proposed work, and, under the direction of the ordinance, shall advertise for bids, as provided for purchases by the Commissioner of Supplies, and let out said work by contract to the lowest responsible bidder, subject to the approval of the Council. Any other mode of letting out work shall be held as illegal and void. No security on any bond shall be taken unless he shall pay taxes on property equal in amount to his liability on all bonds on which he may be security to the city. And no contract shall be made under this section without a bond for its faithful performance, with at least two sufficient sureties.

SEC. 28. Every ordinance requiring such work to be done shall contain a specific appropriation from the proper revenue and fund, based upon an estimate of cost, to be indorsed by the President of the Board of Public Improvements on said ordinance, for the whole of the cost of each street, part of street, or other object, respectively; and every contract shall contain a clause to the effect that it is subject to the provisions of the Charter, that the aggregate payments thereon shall be limited by the amount of such specified appropriation, and that, on ten days' notice, the work under said contract may, without cost to or claim against the city, be suspended by said Board, with the approval of the Mayor, for want of means or other substantial cause: *Provided*, That on the complaint of any citizen and tax-payer, that any public work

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is being done contrary to contract, or the work or material used is imperfect or different from what was stipulated to be furnished or done, the said Board shall examine into the complaint, and may appoint two or more competent commissioners to examine and report on said work, and after such examination, or after considering the report of said commissioners, they shall make such order in the premises as shall be just and reasonable, and what the public interest seems to demand, and such decision shall be binding on all parties; the cost of such examination shall be borne by the contractor if such complaint is decided to be well founded, and by the complainant if found to be groundless.

\* SEC. 29. The Mayor and Assembly shall have power within the city by ordinance to cause the streets and public places of the city, or any part thereof, to be sprinkled, and the cost thereof to be provided for and defrayed by a special tax to be assessed in favor of the city on the adjoining property fronting or bordering on the streets or public place where such sprinkling is proposed to be done, in the proportion that the linear feet of each lot fronting or bordering on the street or public place so to be sprinkled bears to the total number of linear feet of all property chargeable with the special tax aforesaid in the territory embraced by the contract under which said sprinkling is to be done. The above work shall be contracted for annually by the Board of Public Improvements at such time and under such terms and conditions as shall be provided by ordinance, and the city shall be divided into at least forty sprinkling districts for the above purpose, and each district shall be let separately. The special tax-bills spoken of shall be and become a lien on the property charged therewith from the first Monday in April in each year, and shall be *prima facie* evidence of the liability of the property charged therewith to the extent and amount therein specified, and may be collected of the owner of the land in the name of and by the City of St. Louis as any other

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\* Section 29 is an amendment to the Charter adopted at the Charter Amendment Election held on February 28, 1888.

## PUBLIC IMPROVEMENTS—STREET OPENINGS.

claim in any court of competent jurisdiction, with interest at the rate of ten per centum per annum from the first day of May in each year, and if not paid by the first day of June in each year, then at the rate of fifteen per centum per annum from the first day of April in each year, and they shall be issued and collected in the mannner hereafter provided by ordinance. The cost of the sprinkling shall be paid out of City Treasury to the contractors, and the City Treasury shall be reimbursed for such expenditures by the proceeds of the special tax-bills aforesaid. The sprinkling season in each year shall extend from the fifteenth day of March to the first day of December.

## ARTICLE VII.

## WATERWORKS.

SECTION.	SECTION.
1. Water Commissioner; his term, bond, etc.	7. Assessor and Collector of Water Rates; clerks, duties, etc.
2. Water Commissioner to assume charge of the department, etc.	8. His salary and bond.
3. Contracts for work to be submitted to Council.	9. Collections to be deposited in treasury daily; monthly statement to Comptroller.
4. City to be liable for real estate taken for waterworks, etc.	10. Issue of water licenses, etc.
5. Laying of water-pipe.	11. Assembly may regulate water rates; revenue from waterworks, how applied.
6. Owners of buildings may be compelled to take out water license as a sanitary measure, etc.	12. Water rates to be fixed so as to pay current expenses of works and interest on water bonds; exceptional discriminations forbidden.

SECTION 1. The Waterworks, except the assessment of water rates and the collection of the revenue therefrom, shall be under the control and management of a commissioner, to be known as "Water Commissioner," who shall be appointed by the Mayor and confirmed by the Council, and shall be a duly qualified engineer, hold office for four years, and give such bond as may be required by ordinance. He

## WATERWORKS.

shall appoint such subordinates as may be necessary for the management and efficient operation of said Waterworks as may be provided by ordinance.

SEC. 2. Upon the appointment of the Water Commissioner under this Charter, he shall take charge of the Waterworks and all the appurtenances thereto, and shall assume supervisory control over the operation of the same, and enforce the performance of all existing and future contracts and work; and it shall be the duty of the Board of Water Commissioners, and all other persons having charge of the Waterworks, or connected therewith, upon demand of said commissioner, to turn over all books, records, property and assets belonging to said Waterworks to said commissioner, and thereupon the official terms of said Board of Water Commissioners and their appointees shall cease and determine.

SEC. 3. The doing of all work, and the furnishing of all materials and supplies for the Waterworks, shall be let out by the commissioner in the same manner as other public work, except in cases where it is not practical to do such work or furnish such materials by contract; and all contracts shall be submitted to the Council for approval.

SEC. 4. The City of St. Louis shall be liable for all damages that may be sustained by any person in his or her property, by the taking of any real estate, for the purposes necessary for the efficient operation of its Waterworks, and if the amount of compensation to be paid to any such owner or owners cannot be amicably agreed upon between the city and such owner or owners, then application may be made by the City Counselor, on behalf of the city, to the Circuit Court of the Eighth Judicial Circuit, for assessment of such damages, in the same manner as is prescribed in this Charter in the matter of street openings.

SEC. 5. Whenever a majority in interest of the property-holders on any street, avenue, lane or alley, in the City of St. Louis, shall hereafter petition for water-pipe to be laid along such street, avenue, lane or alley, and the laying of the same is authorized by ordinance, or whenever the Assembly

## WATERWORKS.

shall, by a vote of two-thirds of all the members elected to each branch, declare the laying of water-pipe on any street, avenue, lane or alley to be necessary, the Water Commissioner shall cause the same to be laid; and the cost of laying all such pipe shall be paid as provided by ordinance.

SEC. 6. The Water Commissioner may require owners or lessees, or their agents, of houses, stores and other buildings in the city, or in such parts thereof as he is ready to supply, to take out license for the use of water for such house, store or building, according to the rates and assessment as fixed by ordinances of the city for the use of water, whenever the Board of Health of the City of St. Louis shall, by order duly made, declare that the use of water from the Waterworks of the city in any such house, store or building is demanded as a sanitary measure for the preservation of the health of the inmates or inhabitants of such house, store or building; and the said rate and assessment shall be paid by all such proprietors, owners or lessees, or their agents, as well by those who consent as by those who refuse to place in their houses, stores and buildings the water-pipe to convey the same, and shall be payable whenever the Assessor of Water Rates shall have notified the proprietor, owner, lessee, or his or her agent, of the readiness of said Water Commissioner to supply such house, store or building with water as aforesaid. The parties who fail or neglect to comply with the provisions of this section shall be subject to penalties as may be provided by ordinance.

SEC. 7. The assessment and collection of water rates shall be under the control and supervision of an Assessor and Collector of Water Rates, who shall be appointed by the Mayor and confirmed by the Council. He shall have authority to appoint such clerks and assistants as may be authorized by ordinance. It shall be the duty of said Assessor and Collector to collect all revenue due, or to become due, to the City of St. Louis for water, or accruing to the City of St. Louis on account of the Waterworks thereof, in virtue of any ordinance now existing or hereafter to be passed.

## WATERWORKS.

SEC. 8. The Assessor and Collector of Water Rates shall receive a salary to be fixed by ordinance, not exceeding three thousand dollars a year, and shall give a bond of one hundred thousand dollars, with not less than four good sureties, owners of unincumbered real estate, within the City of St. Louis, of the assessed value of one hundred thousand dollars, to be approved by the Mayor, conditioned that he will faithfully and punctually collect and pay to the Treasurer of the City of St. Louis all moneys due and collectible for and on account of the Waterworks, and that he will faithfully perform all the duties of his office according to law.

SEC. 9. At the close of each day the Assessor and Collector of Water Rates shall deposit in the city treasury the revenue collected during the day, taking triplicate receipts for the same, one of which shall be deposited with the Comptroller and one with the Auditor. Every failure in this respect shall be reported to the Mayor, upon which the Mayor may suspend or remove said Collector. He shall monthly furnish the Comptroller with a full and complete statement of all collections made by him, also the number of blank licenses not used.

SEC. 10. The Comptroller shall countersign all blanks received from the Register for water license, and shall issue the same to the Collector and Assessor of Water Rates, taking his duplicate receipts therefor, one of which he shall file with the Auditor. The Comptroller is further instructed to examine the monthly statement of the said Assessor and Collector, and to certify to the Auditor whether it is correct or not.

SEC. 11. The Assembly may make alterations in the prices or rents to be paid for the use of water from the Waterworks, and the whole net income from rents and receipts of the Waterworks, in excess of what may be necessary for completing, constructing, operating and repairing the Waterworks and for interest on water bonds, shall be transferred quarterly to the Fund Commissioners of the City of St. Louis, and shall be by them invested in St. Louis Water Bonds, if the same

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can be done advantageously, and, if not, in other bonds of the City of St. Louis; and if none such are procurable, then in bonds of the State of Missouri or of the United States, and the whole sum so invested shall be set apart as a sinking fund, solemnly appropriated to and for the payment of the bonds issued for the erection of the Waterworks, denominated "St. Louis Water Bonds," and shall be applied solely to that purpose until the whole of said bonds be fully paid; and the Fund Commissioners shall, whenever required by the Assembly or either branch thereof, render a just, true and full account of all their receipts, payments and proceedings under this section.

SEC. 12. The water rates shall be fixed at prices that shall produce revenue sufficient at least to pay the interest upon the city water bonds, and the running expenses of the Waterworks department. No water rate shall be allowed or fixed by any other principle or consideration than that of producing revenue, and exceptional discriminations in rates are forbidden.

## ARTICLE VIII.

## PUBLIC PARKS.

## SECTION.

1. Park Commissioner; term of office and bond; reports, etc.
2. Appointment of assistants, etc.
3. Annual appropriation for parks; entrance and exit gates.

## SECTION.

4. Authority of Municipal Assembly to sell or lease parks; action to be ratified by popular vote.
5. Proceeds of O'Fallon Park bonds to be turned over to Fund Commissioners.
6. Repeal of special park acts.

SECTION 1. The public parks, places and squares of the city, except Tower Grove Park, shall be under the supervision and control of a commissioner, to be known as the "Park Commissioner," to be appointed by the Mayor and confirmed by the Council, who shall hold office for four years, and until his successor is appointed and qualified, and give bond for



## PUBLIC PARKS.

the faithful performance of his duties in the sum of at least ten thousand dollars, with at least two sureties, residents of the city and owners of unincumbered real estate in said city. He shall keep a record of all receipts and expenditures on account of said parks, squares and public places, and make a monthly report of the same to the Comptroller.

SEC. 2. It shall be the duty of the Park Commissioner to execute all ordinances of the city regulating the management and improvement of the public parks, squares and places of the city, and for this purpose shall have authority, with the approval of the Mayor, to appoint such assistants and employes as may be provided by ordinance.

SEC. 3. The Municipal Assembly shall, as in its judgment may be deemed necessary, annually make such appropriation, but not less than thirty thousand dollars, out of the revenue of the city, for the purpose of embellishing, improving and keeping in order all the parks and squares and places under the supervision of the Park Commissioner. Every public park of the City of St. Louis shall be provided with at least one entrance and exit for public use on each side thereof, appropriate to the purpose for which said park may be used.

SEC. 4. The Municipal Assembly shall have authority, upon the recommendation of the Board of Public Improvements, to provide, by ordinance, for the sale or lease of any of the parks, places and squares under the supervision of said Board, but such ordinance shall provide that the proceeds of the sale of any such park, place or square shall be paid to the Fund Commissioners of the city, and that all rentals shall be placed to the credit of the Board of Public Improvements, for the improvement and embellishment of the parks of the city: *Provided, however,* That no such sale or lease shall be made by the Municipal Assembly unless the ordinance providing therefor be submitted to a vote of the qualified voters of the city for ratification at a general election, and it be ratified by a majority of the qualified voters of the city.

## PUBLIC PARKS.

SEC. 5. It shall be the duty of the Auditor of the County of St. Louis, and the Presiding Justice of the County Court thereof, after the adoption of this Charter and upon demand of the Mayor of the city, to draw a warrant on the County Treasurer in favor of the Fund Commissioners of the City of St. Louis for the amount realized by the sale of bonds authorized by an act approved March 22, 1875, entitled "An act to amend an act entitled an act to establish O'Fallon Park in St. Louis County, and authorizing the County Court of St. Louis County to issue bonds for the purchase of lands therefor, and for the government of the same when established, approved March 27, 1874," and the Fund Commissioners shall purchase the bonds of the city for the same.

SEC. 6. An act entitled "An act to establish Carondelet Park in St. Louis county, and authorizing the County Court of St. Louis County to issue bonds for the purchase of lands therefor, and to provide for the government of the same when established," approved February 25, 1874, and an act entitled "An act to establish Forest Park in the County of St. Louis, to provide for the establishment and government thereof, and to provide for the issue of bonds by the County Court of St. Louis County, for the purposes of said park, and for the purchase and condemnation of lands for the same," approved March 25, 1874, and an act entitled "An act to establish O'Fallon Park in St. Louis County, and authorizing the County Court of said county to issue bonds for the purchase of lands therefor, and for the government of the same when established," approved March 25, 1874, are hereby repealed.

## ARTICLE IX.

## HARBOR AND WHARF DEPARTMENT.

## HARBOR.

## SECTION.

1. Harbor and Wharf Commissioner.
2. Official term and bond; salaries, deputies, etc.
3. Harbor of the city.
4. Jurisdiction of Commissioner.
5. Authority and duties of Commissioner.
6. Wharfage and levee dues; how collected, etc.

## SECTION.

7. Collections to be credited to harbor fund.
8. Mooring of wharf-boats, etc.
9. Owners of wharf-boats forbidden to receive commissions or charge storage.
10. Wharf-boats not to affect wharfage dues.

SECTION 1. There is hereby created a department of the city government called the Harbor and Wharf Department, which shall be under the jurisdiction and control, subject to the provisions of this Charter, and of ordinances not conflicting therewith, of an officer who shall be styled the "Harbor and Wharf Commissioner."

SEC. 2. The Harbor and Wharf Commissioner shall be appointed by the Mayor and confirmed by the Council. He shall hold his office for the term of four years, and until his successor is duly qualified. He shall give personal attention and devote the whole of his time to the duties of his office, and for the faithful performance thereof shall give such bond and for such sum as may be provided by ordinance. He shall receive a stated salary for his services in such sum as may be fixed by ordinance, and, with the approval of the Mayor, may appoint such deputies and assistants as may be provided by ordinance.

SEC. 3. The harbor of the City of St. Louis shall comprise the bed of the Mississippi River, its channels, sloughs, bayous, bars and islands, from the mouth of the Missouri River to the mouth of the Meramec River.

SEC. 4. The jurisdiction of the Harbor and Wharf Commissioner shall extend over all the lands, river banks and

## HARBOR AND WHARF DEPARTMENT.

beach dedicated, condemned, or belonging to the city for wharf purposes within the city, and over so much of the Mississippi River, and to the middle of the main channel thereof, as lies immediately in front of the city over which the city has control.

SEC. 5. It shall be the duty of the Harbor and Wharf Commissioner, and he is hereby empowered, to direct the landing and stationing of all boats, vessels or rafts arriving at any point within the limits of the city, and to direct the discharge and removal of their cargoes; to superintend the disposition of freight, merchandise and materials for repairs on the river bank; to keep the wharf and the river along the shore free from wrecks and other improper obstructions, and generally to exercise such supervision and control over the wharf and harbor, and to perform such other duties as may be provided by ordinance.

SEC. 6. The Harbor and Wharf Commissioner shall carefully examine, and, if found correct, certify all bills and claims against the city pertaining to his department. He shall, upon blanks furnished by the Comptroller, make out and deliver to the City Collector for collection, all bills for wharfage dues, levee rates, and all other dues whatever to his department, as may be established by ordinance, immediately on the liability therefor accruing, taking duplicate receipts therefor, one of which he shall retain in his office, and the other he shall deliver at least monthly to the Auditor, for charge against the Collector.

SEC. 7. All moneys collected from harbor tax, wharfage dues or other sources relating to harbor, as well as all forfeitures, fines and penalties imposed for violation of ordinances duly enacted relating to harbor and wharf, shall be credited to the account of harbor fund.

## WHARF-BOATS.

SEC. 8. *Bona fide* owners of steamboats regularly engaged in carrying passengers or freight, or of barges trans-

## HARBOR AND WHARF DEPARTMENT.

porting general merchandise by means of steam tow-boats, to or from this city, and none others, may have the right to moor a wharf-boat at the paved landing, to be used exclusively for their own boats or vessels, upon the terms and conditions provided by this Charter and by ordinance: *Provided, however,* That said wharf-boat shall be owned by the same owners, and in exactly the same proportion as the said boats and vessels are owned.

SEC. 9. No person keeping or interested in a wharf-boat in the City of St. Louis shall be allowed to charge for the storage or forwarding of any freight or merchandise passed over said wharf-boat, nor to receive any commission on said freight or merchandise, nor to charge directly or indirectly any transient or other boats for the privilege of landing at said wharf-boat. Any person, association or corporation violating any provisions of this section shall pay to the city a fine of not less than fifty dollars for each offence, and said Commissioner shall report every such violation to the City Attorney.

SEC. 10. The mooring of any wharf-boat shall not affect in any manner the wharfage tax, or dues, or levee rates, but wharfage shall be collected from each boat landing at any wharf-boat as though said wharf-boat was not there.

## ARTICLE X.

## STREET RAILROADS.

## SECTION.

1. Authority of Municipal Assembly in reference to street railroads; may sell franchises or impose a per capita tax or a tax on gross receipts.
2. May regulate running of cars and rates of fare, and tax property.
3. Surrender of franchises, how effected.

## SECTION.

4. Uniform gauge required, width of rail prescribed.
5. Companies to keep street between rails in repair.
6. Rights of one railroad company to run cars on the tracks of another.
7. Existing franchises to be forfeited unless put in use within one year.

SECTION 1. The Municipal Assembly shall have power, by ordinance, to determine all questions arising with refer-

## STREET RAILROADS.

ence to street railroads, in the corporate limits of the city, whether such questions may involve the construction of such street railroads, granting the right of way, or regulating and controlling them after their completion; and also shall have power to sell the franchise or right of way for such street railroads to the highest bidder, or as a consideration therefor, to impose a per capita tax on the passengers transported, or an annual tax on the gross receipts of such railroad, or on each car, and no street railroad shall hereafter be incorporated or built in the City of St. Louis except according to the above, and other conditions in this Charter, and in such manner and to such extent as may be provided by ordinance.

SEC. 2. The Assembly shall have power to regulate the time and manner of running cars, and the rates of fare on street railroads now or hereafter to be built, and the sale of tickets and exchange thereof between the several companies, and to tax the property of street railroad companies in such manner as may be provided by law.

SEC. 3. Any street railroad company unable or indisposed to carry forward its business may notify the Mayor of such indisposition, and surrender thereby all their chartered rights or franchises, in such manner and under such terms and conditions as may be provided by ordinance.

SEC. 4. An uniform gauge shall be established by ordinance for all street railroads that may be built in the City of St. Louis, and no flat rails shall hereafter be laid down on street railroads now or hereafter to be built, having a less width than two and a half inches in the flange of said rail which is used by ordinary vehicles.

SEC. 5. Street railroad companies shall keep the streets between the rails and to the extent of twelve inches outside of each rail in perfect repair, as nearly on a level with such rails as practicable, and that portion outside the rails shall be of the same material as the street itself; and the Municipal Assembly shall provide, by ordinance, that bond or

## STREET RAILROADS.

other security shall be given by the several companies, conditioned for a compliance with the provision of this section.

SEC. 6. Any street railroad company shall have the right to run its cars over the track of any other street railroad company in whole or in part, upon the payment of just compensation for the use thereof, under such rules and regulations as may be prescribed by ordinance, and it shall be the duty of the Municipal Assembly to immediately pass such ordinances as may be necessary to carry this provision into effect.

SEC. 7. All franchises and privileges to use the streets of the city for street railroad purposes heretofore granted, and not now in use, are hereby declared forfeited and of no effect, unless the company or persons holding such franchises or privileges shall within one year after the adoption of this Charter, construct the tracks and run street cars upon said streets, to the extent that said streets may then be finished, and also extend such tracks and run cars on such streets as rapidly as the construction of such streets is completed.

## ARTICLE XI.

## FIRE DEPARTMENT.

## SECTION.

1. Chief of Fire Department; term of office; duties of employes.
2. Power to purchase horses, etc., with approval of Mayor, purchase of engines, apparatus, etc.

## SECTION.

3. May exercise police power at fires.
4. Regulations as to frame buildings.
5. Chief to inspect all new buildings.

SECTION 1. The Fire Department of the city shall be under the control and supervision of a "Chief of Fire Department," who shall be appointed by the Mayor and confirmed by the Council, who shall hold his office for four years and until his successor is duly qualified, subject to removal, as provided for other appointed officers. He shall have general charge of the property of the city connected with his depart-

## FIRE DEPARTMENT.

ment, and shall, subject to the approval of the Mayor, appoint and employ all such officers and employes as may be provided by ordinance.

SEC. 2. The Chief of Fire Department shall have power, in cases of emergency, with the approval of the Mayor, under such regulations as may be prescribed by ordinance, to purchase or hire such horses and mules as may be necessary for the use of his department, and shall, with the approval of the Mayor, recommend to the Commissioner of Supplies, the purchase of engines and other apparatus for the suppression or extinguishment of fires in such manner and to such extent as may be provided by ordinance.

SEC. 3. The Chief of Fire Department and Assistant Engineers appointed by him shall have the same police powers at all fires as the Chief of Police, under such regulations as may be provided by ordinance.

## INSPECTION OF BUILDINGS.

SEC. 4. No person shall erect within the limits of the City of St. Louis, as established by the act of the General Assembly of the State of Missouri entitled "An act to revise the Charter of the City of St. Louis, and to extend the limits thereof," approved March 4th, 1870, any building or buildings the outer walls of which are in whole or in part constructed of wood, nor upon blocks or squares in the territory added to the city by this Scheme or Charter, that have built upon them six or more substantial dwellings or storehouses, without procuring a permit so to do in such manner as may be provided by ordinance.

SEC. 5. It shall be the duty of the Chief of Fire Department to inspect all buildings in the course of construction, and to cause to be carried into effect all ordinances relating thereto.



## ARTICLE XII.

## HEALTH DEPARTMENT.

## SECTION.

1. Health Commissioner; his official term and bond.
2. Board of Health; meetings, quorum, etc.
3. Duties of Commissioner; appointment of employes; may examine premises; shall obey orders of Board, and report annually to Mayor.
4. Nuisances to be reported to Commissioner; births, marriages and deaths to be registered; Commissioner to have charge of hospitals, asylums, etc.
5. Superintendents of hospitals and employes, how appointed.
6. Abatement or removal of nuisances; notification to owners; cost of abatement to be assessed as special tax.

## SECTION.

7. Contracts for the abatement of nuisances.
8. Proclamation by Mayor in time of epidemics; authority of Commissioner and Board of Health in such cases, etc.
9. Commissioner's record and accounts.
10. Duties of physicians in reference to burial certificates.
11. Weekly report of interments to be made to Health Commissioner.
12. Penalty in case of burial without certificate.
13. Penalty for failure to make weekly report of interments.
14. Record of proceedings of Board.

SECTION 1. There is hereby created a Health Department of the City of St. Louis, which shall be managed, directed and controlled as provided by this Charter and by ordinances of the City of St. Louis, by a Board of Health as hereinafter provided, and by an officer who shall be denominated the Health Commissioner. He shall be appointed by the Mayor, by and with the approval of the Council, and shall perform such duties as may be provided by this Charter and by ordinance. He shall hold his office for the term of four years, and until his successor is duly qualified, be subject to removal by the Mayor as other officers, and shall possess the same qualifications as the Mayor, and shall give bond in such sum as shall be ordained by the Assembly, with at least two sufficient sureties for the faithful performance of his duties.

SEC. 2. There is also hereby created a Board of Health, which shall consist of the Mayor (who shall be its presiding officer), the presiding officer of the Council, a Commissioner of Police, to be designated by the Mayor, and two regular

## HEALTH DEPARTMENT.

practicing physicians, who shall possess the same qualifications as the Mayor. The Health Commissioner shall be a member of said Board, and, in the absence of the Mayor, the presiding officer. The Board shall meet twice in each week during the year. They may be convened in special session at any time by the Mayor, Health Commissioner, or by any two members of the Board upon written notification served twelve hours before the date of said meeting. Three members of the Board shall constitute a quorum for the transaction of business, and it shall have power to adopt rules and regulations for its government.

SEC. 3. The Health Commissioner shall have general supervision over the public health of said city, and see that its regulations, and the laws and ordinances of said city in relation thereto, are enforced and observed, and for that purpose he is authorized and empowered to make such rules and regulations, with the approval of the Board, not inconsistent with this Charter or any city ordinance or law of this State, as will tend to preserve and promote the health of said city; to appoint such employes, with the approval of the Board of Health, as may be necessary for the execution of his orders; to enter into or authorize and require any employee or police officer to enter into and examine, in the daytime, all buildings, lots and places of every description within the city, and to ascertain and report to him the condition thereof, so far as the public health may be affected by it; to declare and abate nuisances in such manner as may be provided herein, or by ordinance; but all condemnations must first be approved by the Board of Health, whose action thereon shall be final. He shall obey all orders not inconsistent with this Charter and city ordinances, emanating from the Board of Health, and shall annually report to the Mayor the general operations of his department during the year then ended, with such suggestions for the improvement of the same as he shall consider expedient.

SEC. 4. It is made the duty of all police officers to observe the sanitary condition of their districts, and through the

## HEALTH DEPARTMENT.

Chief of Police to report to the Health Commissioner promptly any nuisance or accumulated filth found to exist in any portion of the city. The Health Commissioner shall provide for the registration of all births, deaths and marriages occurring within the city; shall have charge of all city hospitals, quarantine, insane asylums, morgue and city dispensary, and with the advice and counsel of said Board of Health make all necessary rules for the government thereof.

SEC. 5. There shall be a Superintendent of the City Hospital, a Superintendent of the Female Hospital, a Superintendent of the Insane Asylum, and a Superintendent of Quarantine when necessary, who shall perform their duties under the general supervision of the Health Commissioner, and shall be appointed by the Mayor, with the approval of the Board of Health; but all other employes shall be appointed by the Health Commissioner, and approved by the Board of Health, except such as may be temporarily in the employ of the Health Commissioner.

SEC. 6. In order to effect the abatement of nuisances or removal of accumulated filth, the Health Commissioner shall have power, whenever in his opinion such nuisance or filth exists, and after officially so declared of record by the Board of Health, to notify the owner or owners thereof, or his or their agents, to rebate or remove the same, either by filling up, draining, cleaning, purifying or removing same, as the case may be, which notice shall be served upon the owner or agent having charge of said property, in the same manner as writs of summons are required to be served in civil cases. If the owner, who shall have been so served with such notice, shall fail, within the time indicated in such notice, which shall be discretionary with said Health Commissioner, to comply with such order, or fail to show good cause to said Health Commissioner why he cannot or ought not to comply with such order, for which purpose he shall be entitled to be heard before said Health Commissioner and Board of Health, if he so request it, he shall be deemed guilty of a misdemeanor, and, on conviction, shall be fined

## HEALTH DEPARTMENT.

not exceeding five hundred dollars; and the nuisance shall be abated, and special tax bills rendered against the property in same manner as against non-residents, except that notice by advertisement shall not be necessary. If such service cannot be made for the reason that the owner, agents or other persons having charge of the property upon which the nuisance may exist cannot be found in the city, of which fact the return upon such notice of the officer serving the same shall be conclusive evidence, then the Health Commissioner shall cause such notice to be published in the newspapers doing the city printing, for two consecutive days (Sundays excepted). And if within two days after the service of such notice, or after its publication as aforesaid, such nuisance shall not be abated, or the order observed by the owner, then the Health Commissioner may order the same to be done as hereinafter directed; and the cost of the same, when fully completed, shall be ascertained under the direction of the President of the Board of Public Improvements, in the same manner as special tax-bills for street improvements; and the amount thereof shall be assessed as a special tax against the property so improved, or upon which such work has been done, in the name of the owners thereof, of which the books of the Assessor shall be proof, and the certified bills of such assessment shall describe therein the property upon which the work was done. Said bills shall be recorded and shall be collected and paid as provided in this Charter in relation to the collection of other special tax-bills, and shall be a lien on said property, and the Health Commissioner shall keep a record of his proceedings in all cases of abatements ordered by him.

SEC. 7. All contracts for work contemplated by this section on which special tax-bills are to be issued, shall be entered into by the President of the Board of Public Improvements, in the name of the city, based on the estimates of the cost by the President of the Board of Public Improvements, accompanied by reports of surveys and profiles, in cases requiring the same in the judgment of such President,

## HEALTH DEPARTMENT.

and shall be approved by the Mayor and registered in the office of the Comptroller.

SEC. 8. Whenever it shall come to the knowledge of the Mayor that any malignant, infectious or contagious disease or epidemic is prevalent in the city, or will probably become so, he may make proclamation of such fact to the inhabitants; and after such proclamation the Health Commissioner, with the approval of the Board of Health, may have power, by order, to take all steps and use all measures necessary to avoid, suppress or mitigate such disease, without the intervention of the Assembly, in the same manner and as effectually as the Assembly could itself do by ordinance; and may employ such officers, agents, servants and assistants, establish temporary hospitals, provide necessary furniture, medical attendance and nurses, as in the opinion of the said Commissioner, with the advice and counsel of said Board of Health, may be necessary and advisable: *Provided*, That the amount expended shall not exceed the appropriation for Health Department. The Health Commissioner shall have and exercise such power until he shall declare, or until the Mayor shall proclaim, that the epidemic or disease, in view of which the proclamation was made, is no longer imminent or prevalent, whereupon the said power shall cease.

SEC. 9. Said Health Commissioner shall keep a record of his acts and orders; shall file all petitions, documents and papers belonging to the office, and shall keep a correct account in full of all receipts and expenditures, and shall make rules and regulations for the government of his subordinates. Copies of such records, documents, rules and regulations, when authenticated by his clerk, shall be presumptive evidence in any court of justice of the facts therein contained: *Provided*, such rules and regulations are not inconsistent with this Charter or ordinances.

SEC. 10. For the purpose of carrying the provisions of this article into effect, every physician who may practice medicine in the City of St. Louis shall when a patient dies under his care, make out two certificates, stating the name,

**HEALTH DEPARTMENT.**

age, sex, color and place of birth, and place and date of death, together with the name of the disease of which said person died, one of which he shall, without delay, deposit in the office of said Health Commissioner, and the other he shall give to the undertaker of the funeral, to be delivered by him to the person who has control of the graveyard in which the body is buried. And if any physician or undertaker refuse or omit to do as aforesaid, he shall forfeit and pay five dollars to the use of the City of St. Louis, to be recovered as provided for in section twelve of this article.

SEC. 11. All overseers, sextons, or other persons who may have control over public graveyards in the City of St. Louis, shall make a weekly report to the Health Commissioner of all interments during the week in the graveyard whereof they are such overseer or sexton respectively. Said report shall specify the names and ages of the persons interred, sex, color and place of birth, and place and date of death, and also the diseases of which said persons died.

SEC. 12. If any overseer, sexton, or other person having control of a graveyard, shall permit any person to be interred in said graveyard without a certificate stating the name, age, sex, color, place of birth, place and date of death, together with the disease of which said person died, signed by the physician who attended said person, he shall forfeit and pay a sum not less than five nor more than twenty dollars, to be recovered as in other cases of misdemeanor, before any court or officer having competent jurisdiction.

SEC. 13. If any overseer, sexton, or other person charged with the performance of such duty, fail or neglect to make to the Health Commissioner such report of weekly interments, he shall forfeit and pay not less than twenty dollars for every such failure, to be recovered in like manner as provided in the last preceding section.

SEC. 14. The Board of Health shall keep a full and correct record of its proceedings and acts, and the clerk of said Health Commissioner shall act as the clerk of the said Board.

## ARTICLE XIII.

## SCHOOLS.

## SECTION.

1. Board of President and Directors of St. Louis Public Schools to consist of as many members as there are wards in the city; terms of directors; organization of first Board under Charter; classification of members in reference to expiration of terms.
2. City officers to assess school taxes.

## SECTION.

3. City Collector to collect school taxes and to give special bond to Board.
4. Rate of school taxes to be fixed by Board.
5. School taxes collected in extended limits to be remitted if in excess of necessary revenue.

\* SECTION 1. The Board of President and Directors of the St. Louis Public Schools shall consist of as many members as there are wards in the city. The Directors shall hold their offices for three years and until their successors are elected and qualified, except as hereinafter provided. They shall be elected by the qualified voters of their respective wards at an election held for that purpose on the first Tuesday in October of each year. The present Directors shall hold their offices until the first Tuesday in October, 1877, and until their successors are elected and qualified. Directors of said Board from the Twenty-third, Twenty-fifth, Twenty-sixth, Twenty-seventh, and Twenty-eighth wards of the city shall be elected at the general State election in November, 1876. On the first Tuesday of October, 1877, one Director of said Board from each ward shall be elected by the qualified voters thereof. At the first regular session of the Board after said election in October, 1877, the Board shall divide itself by lot into three classes as nearly equal in number as practicable. The term of members belonging to the first class shall expire in October, 1878; of those belonging to the second class, in October, 1879; and those belonging to the third class, in October, 1880; and on and after

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\* Section 1 is not in force. The School Board of St. Louis consists of fourteen members elected from districts, and seven members elected at large. Act of March 30, 1887. Laws of 1887, p. 272.

## SCHOOLS.

the first Tuesday in October, 1878, as near as practicable, one-third of all the members of the Board shall be elected each year.

SEC. 2. The officers of the City of St. Louis, directed by this Charter to assess and extend the State and City taxes, and to perform other duties relating thereto, shall perform the same duties in regard to taxes levied by the Board of President and Directors of the St. Public Schools.

SEC. 3. The Collector of the City of St. Louis shall collect all taxes levied by the Board of President and Directors of the St. Louis Public Schools. Said Collector shall give such bond for the faithful performance of his duties to said Board, and account for and pay over to said Board in such manner and at such times, all school taxes collected by him, as the Collector of St. Louis County was required to do under the laws heretofore in force.

SEC. 4. The Board of President and Directors of the St. Louis Public Schools shall determine the rate of taxation for each year by resolution, a copy of which, duly certified according to law, shall be handed to the Collector of the City of St. Louis, and to the Register of said city, on or before the first day of August in each year.

SEC. 5. If the proceeds of taxes levied by the Board of President and Directors of the St. Louis Public Schools, in any one year, on property in the different wards within the newly extended city limits, should prove to be greatly in excess of amounts needed for the purpose of properly carrying on the education of children residing within such extended limits, then said Board shall by resolution remit such excess. A copy of such resolution, properly authenticated, specifying the percentage remitted in the respective wards, shall be filed by the Secretary of said Board with the Comptroller of the City of St. Louis, who shall, in extending the tax, make a deduction equal to such percentage of all taxes levied for school purposes on such property.



## ARTICLE XIV.

## SINKING FUND.

## SECTION.

1. Board of Fund Commissioners, how constituted.
2. Revenue of Sinking Fund; Comptroller to deliver to Commissioners all funds, notes and moneys belonging to Fund.
3. Sinking Fund to be kept at bank selected by Commissioners; bank to give bond in \$100,000; Committee on Ways and Means may ex-

## SECTION.

- amine books, &c., of Board; Commissioners to report annually to Assembly.
4. All moneys of Sinking Fund to be invested in city bonds; bonds to be cancelled together with coupons having ten years to run; coupons due within ten years to be retained for revenue; collection of same may be enforced against the city.

SECTION 1. The Mayor, Comptroller and Treasurer shall *ex officio* be Fund Commissioners of the City of St. Louis; the Mayor shall be President, the Comptroller Secretary, and the Treasurer shall be Treasurer thereof; and it shall be the duty of such Fund Commissioners to manage and control the sinking fund established by the Charter.

SEC. 2. There is hereby created a sinking fund for the City of St. Louis, the proceeds of which shall be appropriated exclusively to the purchase of bonds issued by said city. Said fund shall consist of three-fourths of the net proceeds of the sales of the City Commons in the year 1854; and three-fourths of the net proceeds of City Commons and other lands belonging to the city when further sales shall be made; and three-fourths of the net proceeds of all sales of the City Commons and other lands belonging to the city subsequent to the year 1854 and prior to the passage of this Charter; also all railroad stock belonging to the city in any railroad terminating in the city, or opposite to the same in the State of Illinois; and, in addition thereto, the Treasurer shall, on the first Monday in October in each and every year, pay over to the Fund Commissioners the sum of ten thousand dollars out of the general revenue of the city, which, together with the money, notes and railroad stock above mentioned, shall constitute a perpetual and irrevoc-

## ARTICLE XIV.

## SINKING FUND.

## SECTION.

1. Sinking Fund; how created, kept, held and for what purpose.
2. Municipal Assembly to make appropriations each year; portion not used how credited.

## SECTION.

3. How disbursements are to be made.
4. Assets how disposed of; the bonds of the Ohio and Mississippi railroad to be turned over to Comptroller; if any sum is realized on the same, proceeds how disposed of.

SECTION 1. There is hereby created a Sinking Fund for the City of St. Louis, which shall always be kept separate and distinct from other funds and revenues, and held sacred for the purpose of redemption or purchase of bonds issued by said city, which were outstanding on the seventh day of April, eighteen hundred and ninety, and of the bonds issued for the renewal thereof.

SEC. 2. The Municipal Assembly shall annually appropriate from the fund designated in this Charter as "Interest and Public Debt Revenue" a sum not less than one million two hundred thousand dollars to be used exclusively for the payment of the bonds of the city described in section 1 of this article, and of the interest thereon. That portion of each annual appropriation not required for the payment of the interest coupons maturing during the respective year, shall be credited to, and shall constitute the Sinking Fund herein created.

SEC. 3. All disbursements out of the City Treasury on account of the Sinking Fund, shall be upon requisitions of the Comptroller, approved by the Mayor, and in all other respects they are to be made in the same manner as other disbursements of the city.

SEC. 4. The assets of the Sinking Fund now under the control of the Board of Fund Commissioners shall be disposed of as follows: The money on hand and the proceeds of all matured coupons from city bonds shall be credited to and be a part of the Sinking Fund herein created; the immatured coupons from city bonds shall be cancelled, and filed as other coupons from city bonds

## SINKING FUND.

are filed. The bonds of the Ohio and Mississippi Railroad shall be turned over to the Comptroller, and deposited in his office—in the event of the city at any time realizing on the same, the proceeds thereof shall be credited to, and be a part of, the Sinking Fund herein created.

STATE OF MISSOURI, { ss.  
CITY OF ST. LOUIS. }

Know all men by these presents, That I, James L. Carlisle, Recorder of Voters of the City of St. Louis, do hereby certify that at a special election held in said city on Tuesday, the ninth day of June, A. D. one thousand eight hundred and ninety-one, for the purpose of voting upon an amendment to the charter of said city, creating a Sinking Fund, pursuant to ordinance number 16,033, entitled "an ordinance submitting a proposed amendment to the charter to the qualified voters of the city, and providing for an election to be held therefor, and the manner of voting thereat, and for the publication of the ordinance," approved March 20th, 1891, there were cast a total of five thousand nine hundred and forty-four votes, of which three thousand five hundred and sixty-eight votes were cast as follows, "Amendment to City Charter, creating a Sinking Fund, Yes," and two thousand three hundred and seventy-six votes were cast, "Amendment to the City Charter, creating a Sinking Fund, No;" that three-fifths of the total votes so cast would amount to three thousand five hundred and sixty-six and two-fifths votes and that said amendment to said Charter was adopted by one and three-fifths votes, more than three-fifths of all the votes cast at said election.

In witness whereof, I have hereto set my hand  
[SEAL] and affixed the seal of my office at the City of  
St. Louis, this twenty-first day of August,  
A. D. 1891.

JAMES L. CARLISLE, [SEAL]  
Recorder of Voters.

Filed, August 21st, 1891.

JOS. A. WHERRY, Register.

## SINKING FUND.

able sinking fund for the payment of the city debt. The Comptroller shall deliver to said Fund Commissioners all the notes on hand arising from the sale of the Commons which belong to said sinking fund; he shall also give to said Fund Commissioners an order on the Treasurer for the money arising from said sales, belonging to said sinking fund and now in the Treasury, and shall take the receipt of said Fund Commissioners for said money and said notes; and all other moneys hereafter derived from the sale of the Commons, and such other lands as may be sold by the city and belonging to said sinking fund, shall be paid and delivered to the Fund Commissioners without delay.

SEC. 3. The money and notes received by the Fund Commissioners from every source shall, as soon as received, be deposited at such bank, banking house or savings institution as they may agree upon from time to time: *Provided, however,* That no bank, banking house or savings institution shall be intrusted with said sinking fund until the President or the principal officer thereof shall have executed in favor of the City of St. Louis a bond for one hundred thousand dollars, with such security as shall be satisfactory to the Board, conditioned for the safe keeping and prompt payment of said sinking fund, or any part thereof, whenever the same may be demanded by said Fund Commissioners, which deposit shall be drawn to the special credit of the city only upon the check of the President, and countersigned by the Secretary and Treasurer of said Fund Commissioners, in favor of the party entitled thereto. The Committee on Ways and Means of both Houses of the Assembly shall, as often as they desire, examine the books, accounts and vouchers of the Board, and make a report thereon, to be filed in the Auditor's office. The Fund Commissioners shall also make an annual report to the Assembly, giving a detailed account of the condition of the sinking fund and their transactions.

SEC. 4. The Fund Commissioners, as soon as money comes into their hands in suitable amounts, shall invest the

## SINKING FUND.

same in bonds of the city, and when purchased they shall be cancelled in the presence of the Committee on Ways and Means, which cancellation shall be recorded in the Comptroller's office, together with all coupons having ten years to run from the date of purchase; and the Fund Commissioners shall have credit for the bonds so cancelled; but all coupons attached to bonds so purchased, falling due within ten years from the date of purchase, shall be cut off and retained by the Fund Commissioners and collected by them at maturity as other coupons, and the proceeds added to said sinking fund; and on failure to pay said coupons, said Fund Commissioners may cause them to be protested, and enforce their collection against the city in their own name as such Fund Commissioners, and they shall stand charged with the coupons so retained.

## ARTICLE XV.

## PUBLIC PRINTING.

## SECTION.

1. Register to advertise for sealed proposals; opening of bids; contracts to be awarded to lowest bidder and reported to Council; specifications of contract; forfeiture of same; contract for job printing; temporary contract authorized.

## SECTION.

- 2 Publication of ordinances; abstract of proceedings of Assembly; second printing of documents forbidden, except by two-thirds vote; annual printing of city documents in pamphlet form.
3. Proofs of printing to be submitted to officers interested.

SECTION 1. All the printing and binding to be done at the expense of the city shall be contracted for as follows, to-wit:

The Register shall advertise in the newspapers published in the city, of a uniform daily circulation of over three thousand copies (so far as he may be informed thereof), a proposal for sealed bids in writing for doing the city printing, to be done in city newspapers of said daily circulation, for one year, one published in the English and one in the

## PUBLIC PRINTING.

German language; said advertisement shall state the place, day and hour of the opening of such bids, and shall be made for at least ten days next before such day. The bids shall be opened in the office of the Register, and all bidders may be present thereat. No bid shall be considered in which there shall be any erasure or interlineation. In every case the printing shall be awarded to the lowest bidder. The Register shall, without delay, report the bids and awards to the Council. If the Council reject any award, the Register shall proceed without delay, as above, for new bids for the kind of printing of the rejected award, and report, as aforesaid, upon the same, and so on until the Council confirm the awards for all the aforesaid printing. Every contract for printing, in pursuance of any award, shall specify the printing and the price therefor, and require the doing thereof within reasonable time. The printing meant in this article includes everything of labor, skill and materials for bringing the work to the condition for its intended use and purpose. If any bidder fails to perform the contract as therein required, the same shall be subject to forfeiture by the Mayor. All job printing and binding shall be let by contract, subject to such regulations as may be prescribed by ordinance. Until the contract be made as aforesaid for any authorized printing, at the expense of the city, the same may be contracted for by the Register, with the approval of the Mayor.

SEC. 2. Every ordinance passed by the Assembly shall be published in the papers doing the city printing within five days after its approval. The Assembly shall cause an abstract of its proceedings to be published within forty-eight hours after the meeting at which they were had. Such abstract shall briefly state the substance of all petitions, memorials, remonstrances, motions, propositions, bills, resolutions and orders, and the yeas and nays in full whenever taken; also all communications from the Mayor and other city officers, unless otherwise directed by the Municipal Assembly. No expense for printing the same document the second time

## PUBLIC PRINTING.

shall be incurred, except when ordered by a vote of two-thirds of the members elected to the Assembly, taken by yeas and nays. The annual messages of the Mayor, and reports of the Comptroller, with the accompanying reports of other city officers, shall be printed in pamphlet form, the number of copies to be determined by a majority of both Houses of the Municipal Assembly by joint resolution.

SEC. 3. Proofs of all printing shall be submitted to the officer directly interested therein, and no publication or printing shall be done or paid for except when done in the manner herein prescribed.

## ARTICLE XVI.

## MISCELLANEOUS PROVISIONS.

## SECTION.

1. Existing ordinances, contracts, etc., to remain in force until repealed or abrogated.
2. Existing recognizances, obligations, forfeitures, actions, etc., to remain in force.
3. Management of Mullanphy bequest.
4. Street opening ordinances repealed; pending cases to be conducted under former laws; City Counselor to act as Land Commissioner.
5. Mayor to promulgate Charter.
6. Appeal bonds by City; Mayor to execute such bonds for city.
7. Execution of city contracts; contracts to be numbered, filed, etc., in Register's office; attested copies to be furnished city officers.
8. Citizens of St. Louis exempt from road work.
9. Damage suits against the city; persons and corporations, when liable, to be made co-defendants, and judgments to be first enforced against them.

## SECTION.

10. Regulation of public processions.
11. Penalty for voting in favor of or allowing unauthorized claims; penalty for the misapplication of public funds.
12. Penalty for violation of provisions of Charter.
13. Oath of office.
14. Records of Board of Police Commissioners to be open to inspection.
15. City Counselor and Attorney to furnish legal advice to Police Commissioners.
16. Expenses of police force to be paid out of city treasury.
17. Assembly to fix salaries of officers; increase of salary forbidden during term.
18. Limitation of salaries; all fees, etc., to be paid into the Treasury; officers' salaries to be paid monthly.
19. Amendments to Charter to be submitted to the people.
20. Existing city officers continued in office until April, 1877.

SECTION 1. All ordinances in force at the time this Charter and the Scheme go into operation, not inconsistent

## MISCELLANEOUS PROVISIONS.

therewith, shall remain in full force until altered or repealed by the Assembly, and all rights, actions, prosecutions and contracts of the city, not inconsistent therewith, shall continue to be valid as if this Scheme had not been adopted.

SEC. 2. All recognizances, obligations and all other instruments entered into or executed to the city, before this Charter goes into operation, and all fines, taxes, penalties and forfeitures due or owing to the city, and all writs, prosecutions, actions and causes of action, except as herein or in the Scheme otherwise provided, shall continue and remain unaffected by this Charter going into operation.

SEC. 3. The Assembly shall provide by ordinance for the administration of the Mullanphy bequest by a Board of thirteen members to be elected by the Council, of whom not more than five shall reside in any one Congressional District; said Board shall receive no compensation for their service.

SEC. 4. -All ordinances for the opening of any street, avenue or highway, upon which proceedings shall not have been commenced at the time this Charter goes into operation, shall be and are hereby repealed: *Provided, however,* That the provisions of this Charter shall not be construed to effect any case pending at the time when said Charter shall become operative, but every such case shall be conducted under the law in force when it was commenced; and any act necessary to be done by the Land Commissioner of the City of St. Louis in the execution of any such cases after the seventh day of April, 1877, shall be performed by the City Counselor of said city.

SEC. 5. The Mayor shall, immediately after this Scheme and Charter go into effect, take measures to promulgate the same, by causing them to be printed in pamphlet form, with accurate head-notes to each article, and as full an index as practicable.

SEC. 6. The City of St. Louis, in taking an appeal in any judicial proceedings, shall give bond as required by law, but is hereby released from the obligation of law to furnish secur-



## MISCELLANEOUS PROVISIONS.

ity therefor. All such bonds shall be executed by the Mayor, and shall be taken in all courts as a full compliance with the law in such cases, and all acts or parts of acts inconsistent with this provision are hereby repealed.

SEC. 7. All contracts relating to city affairs shall be in writing, signed and executed in the name of the city, by the officer authorized to make the same, after due notice; and in cases not otherwise directed by law or ordinance, such contracts shall be made and entered into by the Comptroller, and in no case by the Assembly or any committee thereof. All contracts not made by the Comptroller shall be countersigned by the Comptroller and filed and registered by number, date and contents, in the Register's office, and attested copies furnished to the Comptroller, Auditor, and such other officers as are interested in the performance thereof as required.

SEC. 8. The citizens of the City of St. Louis are hereby exempt from working on the roads or public highways of the city, any law to the contrary notwithstanding.

SEC. 9. Whenever the city shall be made liable to an action for damages, by reason of the unauthorized or wrongful acts, or of the negligence, carelessness, or unskilfulness of any person or corporation, and such person or corporation shall also be liable to an action on the same account by the party so injured, the injured party, if he sue the city for damages suffered by him, shall also join such other person or persons or corporation so liable, if residing in the State, so that they can be served with process, as a defendant or defendants in his suit, and no judgment shall be rendered against the city unless judgment is rendered against such other person or corporation so liable to be sued as aforesaid; and if any action be brought against the city alone, and it is made to appear that any person or corporation ought to be joined as a defendant in the suit, according to the provisions of this section, the plaintiff shall be nonsuited; but no person shall be liable under this act to be sued jointly with the city, who would not be liable to be sued separately, irrespec-

## MISCELLANEOUS PROVISIONS.

tive of its provisions. When a judgment shall be obtained against the city and the other party liable as aforesaid, execution shall issue against all the defendants in the ordinary form, but shall first be enforced and collected of the other defendants, and shall not be collected of the city unless the other defendants are so insolvent that the same cannot be made out of them, and in that case the city shall pay only so much of the judgment as cannot be made out of the other defendants.

SEC. 10. The Municipal Assembly shall provide, by ordinance, for the regulation of public processions so as to prevent interference with public traffic, and to promote the good order of the city.

SEC. 11. Any member or officer of either House of the Assembly, and any officer of the city, and any member or officer of any Board organized under or in connection with the city government pursuant to any law of this State, who shall in his official capacity, or under color of his office, knowingly or wilfully, or corruptly vote for, assent to, or report in favor of, or allow or certify for allowance, any claim or demand against the city or any department thereof, or against any such Board as above mentioned, which claim or demand shall be on account or under color of any contract or agreement not authorized by or in pursuance of the provisions of this Charter, or any claim or demand against the city or any department thereof, or any such Board as aforesaid, which claim or demand, or any part thereof, shall be for work not in fact performed for and by authority of said city or such Board, or for supplies or materials not actually furnished thereto, pursuant to law or ordinance, and every such member or officer as aforesaid who shall knowingly vote for, assent to, assist, or otherwise permit or aid in the disbursement or disposition of any money or property belonging to the city, or any department thereof, or held by or in charge of any such Board as aforesaid, to any other than the specific use or purpose for which such money or property shall be, or shall have been received or appro-

## MISCELLANEOUS PROVISIONS.

priated, or collected or authorized by law to be collected, shall, upon conviction thereof, be punished by imprisonment in the city jail for not more than one year, or by fine of not less than two thousand nor more than ten thousand dollars, or by both such fine and imprisonment, or by imprisonment in the city jail for not less than six months, and by fine of not less than five hundred nor more than five thousand dollars.

SEC. 12. Any person who shall violate any of the provisions of this Charter, for the violation of which no punishment has been provided therein, shall be guilty of a misdemeanor, and shall be punished by fine not exceeding five hundred dollars, or by imprisonment in the county jail not exceeding one year.

SEC. 13. Each member of the Assembly and officer of the city, or of any Board thereunder, shall, before entering upon the duties of his office, take and subscribe an oath or affirmation that he will support the Constitution of the United States and of this State, and that he is not subject to any of the disqualifications enumerated in this Charter, and that he will demean himself faithfully in office.

SEC. 14. The journal and books of the Board of Police Commissioners, required by law to be kept by them, and all documents relating to their office, shall always be open to the inspection of the Comptroller and Municipal Assembly of the City of St. Louis, and of any committee appointed by it for that purpose.

SEC. 15. The City Counselor and Attorney shall furnish the Board of Police Commissioners with the legal advice and services desired by them, and the Board shall not employ any other at the city's expense.

SEC. 16. All claims against the Board of Police Commissioners, including salaries, shall be paid out of the city treasury in the same manner as other claims against the city are paid; said claims shall be certified to by the President and Secretary of said Board, and audited as provided in this Charter for claims against the city; and all acts or parts of

## MISCELLANEOUS PROVISIONS.

acts inconsistent with or in conflict with this section are hereby repealed.

SEC. 17. The Municipal Assembly shall fix the salaries of all elective or appointive officers of the city and their assistants or deputies, and also of all clerks that may be employed by the city in any of its offices or departments, and may increase or diminish the same by ordinance, except in cases where otherwise provided in this Charter: *Provided*, That no such increase shall be made during the term for which any such officer, or assistant, or clerk may be elected or appointed.

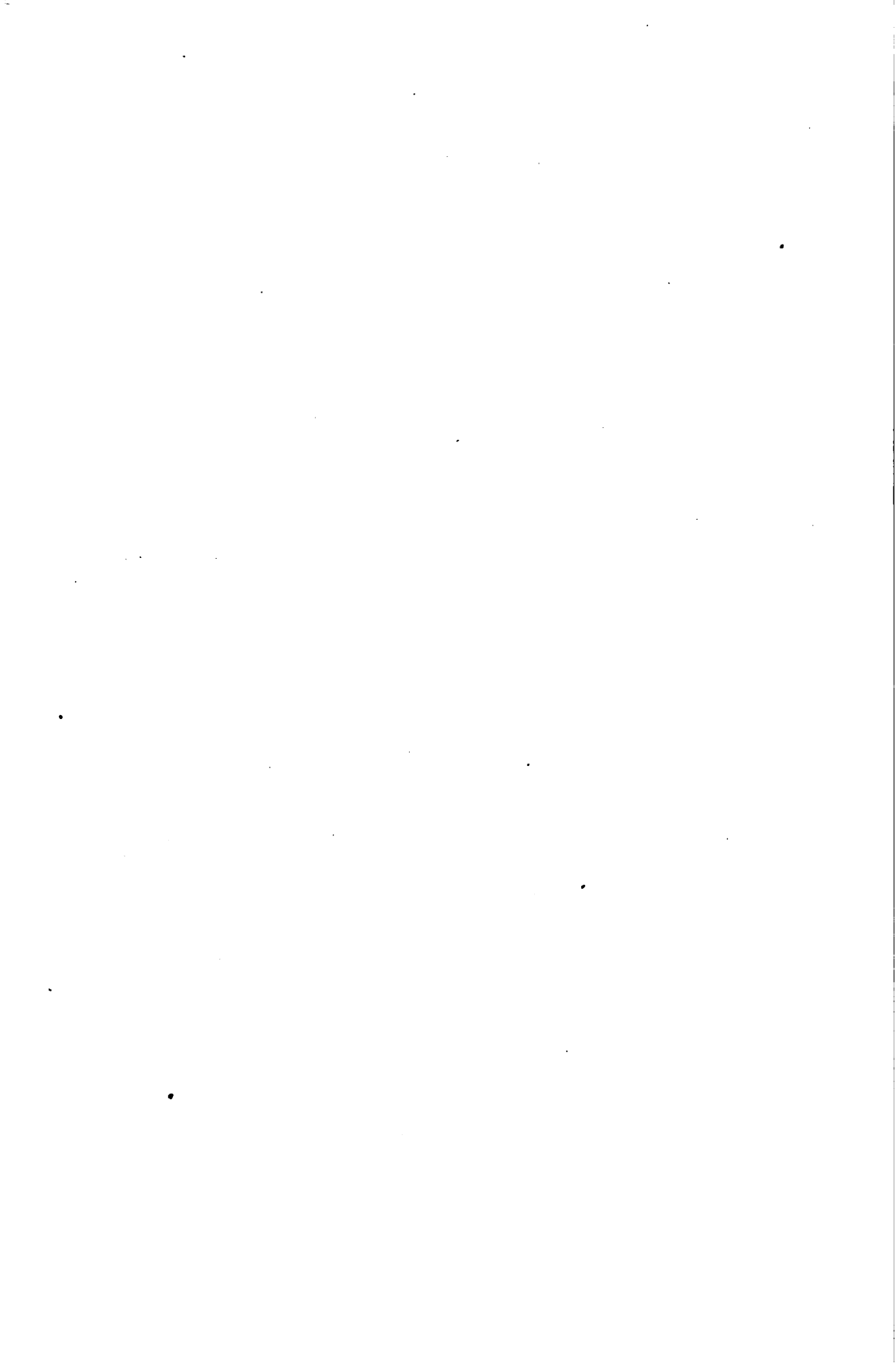
SEC. 18. The annual salary of no officer of the city shall exceed the sum of five thousand dollars, nor of any assistant, or deputy exceed the sum of twenty-five hundred dollars, nor of any clerk the sum of eighteen hundred dollars; and all fees, perquisites and emoluments of such officers shall be paid over monthly to the Treasurer, and all such salaries shall be paid monthly, as may be provided by ordinance.

SEC. 19. When amendments to this Charter are proposed, they shall be submitted separately to a vote of the people.

SEC. 20. All the present city officers, except where otherwise provided in this Charter and in the Scheme, are hereby continued in office until the election provided herein to be held in April, 1877, and until their successors are qualified.

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NOTE.—The Scheme and Charter were ratified by the voters at an election held on August 22, 1876, and the same became the organic law of the county and city sixty days thereafter, namely, on October 22, 1876.



# PROVISIONS OF CONSTITUTION

IN REFERENCE TO

## SCHEME AND CHARTER.

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The following are the provisions of Article IX of the State Constitution under which the Scheme and Charter were prepared and adopted :

SECTION 20. EXTENSION OF LIMITS—ADOPTION OF CHARTER.—The City of St. Louis may extend its limits so as to embrace the parks now without its boundaries and other convenient and contiguous territory, and frame a Charter for the government of the city thus enlarged, upon the following conditions ; that is to say: The Council of the city and County Court of the County of St. Louis shall, at the request of the Mayor of the City of St. Louis, meet in joint session and order an election, to be held as provided for general elections, by the qualified voters of the city and county of a Board of thirteen Freeholders of such city or county, whose duty shall be to propose a Scheme for the enlargement and definition of the boundaries of the city, the reorganization of the government of the county, the adjustment of the relations between the city thus enlarged and the residue of St. Louis County, and the government of the city thus enlarged, by a Charter in harmony with and subject to the Constitution and laws of Missouri, which shall, among other things, provide for a chief executive and two Houses of legislation, one of which shall be elected by general ticket, which Scheme and Charter shall be signed in duplicate by said Board or a majority of them, and one of them returned to the Mayor of the city and the other to the Presiding Justice of the County Court within ninety days after the election of such Board. Within thirty days there-

after the City Council and County Court shall submit such Scheme to the qualified voters of the whole county, and such Charter to the qualified voters of the city so enlarged, at an election to be held not less than twenty nor more than thirty days after the order therefor; and if a majority of such qualified voters voting at such election shall ratify such Scheme and Charter, then such Scheme shall become the organic law of the county and city, and such Charter the organic law of the city, and at the end of sixty days thereafter shall take the place of and supersede the Charter of St. Louis and all amendments thereof, and all special laws relating to St. Louis County inconsistent with such Scheme.

**SEC. 21. AUTHENTICATION OF CHARTER—JUDICIAL NOTICE.**—A copy of such Scheme and Charter, with a certificate thereto appended, signed by the Mayor and authenticated by the seal of the city, and also signed by the Presiding Justice of the County Court and authenticated by the seal of the county, setting forth the submission of such Scheme and Charter to the qualified voters of such county and city, and its ratification by them, shall be made in duplicate, one of which shall be deposited in the office of the Secretary of State, and the other, after being recorded in the office of the Recorder of Deeds of St. Louis County, shall be deposited among the archives of the city, and thereafter all courts shall take judicial notice thereof.

**SEC. 22. AMENDMENT OF CHARTER.**—The Charter so ratified may be amended at intervals of not less than two years, by proposals therefor, submitted by the law-making authorities of the city to the qualified voters thereof at a general or special election, held at least sixty days after the publication of such proposals, and accepted by at least three-fifths of the qualified voters voting thereat.

**SEC. 23. MISCELLANEOUS PROVISIONS UNDER SAID CHARTER.**—Such Charter and amendments shall always be in harmony with and subject to the Constitution and laws of Missouri, except only that provision may be made for the graduation of the rate of taxation for city purposes in the portions of the city which are added thereto by the pro-

posed enlargement of its boundaries. In the adjustment of the relations between city and county, the city shall take upon itself the entire park tax; and in consideration of the city becoming the proprietor of all the county buildings and property within its enlarged limits, it shall assume the whole of the existing county debt, and thereafter the City and County of St. Louis shall be independent of each other. The city shall be exempted from all county taxation. The Judges of the County Court shall be elected by the qualified voters outside of the city. The city, as enlarged, shall be entitled to the same representation in the General Assembly, collect the State revenue, and perform all other functions in relation to the State, in the same manner as if it were a county as in this Constitution defined; and the residue of the county shall remain a legal county of the State of Missouri, under the name of the County of St. Louis. Until the next apportionment for Senators and Representatives in the General Assembly, the city shall have six Senators and fifteen Representatives, and the county one Senator and two Representatives, the same being the number of Senators and Representatives to which the County of St. Louis, as now organized, is entitled under Sections eight and eleven of Article IV of this Constitution.

SEC. 24. COURTS OF ST. LOUIS COUNTY.—The County and City of St. Louis, as now existing, shall continue to constitute the Eighth Judicial Circuit, and the jurisdiction of all courts of record, except the County Court, shall continue until otherwise provided by law.

SEC. 25. SUBORDINATION OF ST. LOUIS.—Notwithstanding the provisions of this article, the General Assembly shall have the same power over the City and County of St. Louis that it has over other cities and counties of this State.





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